

Calendar No. 163

113TH CONGRESS
1ST SESSION

S. 1429

[Report No. 113–85]

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2013

Mr. DURBIN, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of Defense for the fiscal year ending Sep-
6 tember 30, 2014, and for other purposes, namely:

1 TITLE I

2 MILITARY PERSONNEL

3 MILITARY PERSONNEL, ARMY

4 For pay, allowances, individual clothing, subsistence,
5 interest on deposits, gratuities, permanent change of sta-
6 tion travel (including all expenses thereof for organiza-
7 tional movements), and expenses of temporary duty travel
8 between permanent duty stations, for members of the
9 Army on active duty, (except members of reserve compo-
10 nents provided for elsewhere), cadets, and aviation cadets;
11 for members of the Reserve Officers' Training Corps; and
12 for payments pursuant to section 156 of Public Law 97-
13 377, as amended (42 U.S.C. 402 note), and to the Depart-
14 ment of Defense Military Retirement Fund,
15 \$40,796,005,000.

16 MILITARY PERSONNEL, NAVY

17 For pay, allowances, individual clothing, subsistence,
18 interest on deposits, gratuities, permanent change of sta-
19 tion travel (including all expenses thereof for organiza-
20 tional movements), and expenses of temporary duty travel
21 between permanent duty stations, for members of the
22 Navy on active duty (except members of the Reserve pro-
23 vided for elsewhere), midshipmen, and aviation cadets; for
24 members of the Reserve Officers' Training Corps; and for
25 payments pursuant to section 156 of Public Law 97-377,

1 as amended (42 U.S.C. 402 note), and to the Department
 2 of Defense Military Retirement Fund, \$27,606,615,000.

3 MILITARY PERSONNEL, MARINE CORPS

4 For pay, allowances, individual clothing, subsistence,
 5 interest on deposits, gratuities, permanent change of sta-
 6 tion travel (including all expenses thereof for organiza-
 7 tional movements), and expenses of temporary duty travel
 8 between permanent duty stations, for members of the Ma-
 9 rine Corps on active duty (except members of the Reserve
 10 provided for elsewhere); and for payments pursuant to sec-
 11 tion 156 of Public Law 97-377, as amended (42 U.S.C.
 12 402 note), and to the Department of Defense Military Re-
 13 tirement Fund, \$12,720,114,000.

14 MILITARY PERSONNEL, AIR FORCE

15 For pay, allowances, individual clothing, subsistence,
 16 interest on deposits, gratuities, permanent change of sta-
 17 tion travel (including all expenses thereof for organiza-
 18 tional movements), and expenses of temporary duty travel
 19 between permanent duty stations, for members of the Air
 20 Force on active duty (except members of reserve compo-
 21 nents provided for elsewhere), cadets, and aviation cadets;
 22 for members of the Reserve Officers' Training Corps; and
 23 for payments pursuant to section 156 of Public Law 97-
 24 377, as amended (42 U.S.C. 402 note), and to the Depart-

1 ment of Defense Military Retirement Fund,
2 \$28,252,060,000.

3 RESERVE PERSONNEL, ARMY

4 For pay, allowances, clothing, subsistence, gratuities,
5 travel, and related expenses for personnel of the Army Re-
6 serve on active duty under sections 10211, 10302, and
7 3038 of title 10, United States Code, or while serving on
8 active duty under section 12301(d) of title 10, United
9 States Code, in connection with performing duty specified
10 in section 12310(a) of title 10, United States Code, or
11 while undergoing reserve training, or while performing
12 drills or equivalent duty or other duty, and expenses au-
13 thorized by section 16131 of title 10, United States Code;
14 and for payments to the Department of Defense Military
15 Retirement Fund, \$4,430,784,000.

16 RESERVE PERSONNEL, NAVY

17 For pay, allowances, clothing, subsistence, gratuities,
18 travel, and related expenses for personnel of the Navy Re-
19 serve on active duty under section 10211 of title 10,
20 United States Code, or while serving on active duty under
21 section 12301(d) of title 10, United States Code, in con-
22 nection with performing duty specified in section 12310(a)
23 of title 10, United States Code, or while undergoing re-
24 serve training, or while performing drills or equivalent
25 duty, and expenses authorized by section 16131 of title

1 10, United States Code; and for payments to the Depart-
 2 ment of Defense Military Retirement Fund,
 3 \$1,846,795,000.

4 RESERVE PERSONNEL, MARINE CORPS

5 For pay, allowances, clothing, subsistence, gratuities,
 6 travel, and related expenses for personnel of the Marine
 7 Corps Reserve on active duty under section 10211 of title
 8 10, United States Code, or while serving on active duty
 9 under section 12301(d) of title 10, United States Code,
 10 in connection with performing duty specified in section
 11 12310(a) of title 10, United States Code, or while under-
 12 going reserve training, or while performing drills or equiv-
 13 alent duty, and for members of the Marine Corps platoon
 14 leaders class, and expenses authorized by section 16131
 15 of title 10, United States Code; and for payments to the
 16 Department of Defense Military Retirement Fund,
 17 \$657,841,000.

18 RESERVE PERSONNEL, AIR FORCE

19 For pay, allowances, clothing, subsistence, gratuities,
 20 travel, and related expenses for personnel of the Air Force
 21 Reserve on active duty under sections 10211, 10305, and
 22 8038 of title 10, United States Code, or while serving on
 23 active duty under section 12301(d) of title 10, United
 24 States Code, in connection with performing duty specified
 25 in section 12310(a) of title 10, United States Code, or

1 while undergoing reserve training, or while performing
 2 drills or equivalent duty or other duty, and expenses au-
 3 thorized by section 16131 of title 10, United States Code;
 4 and for payments to the Department of Defense Military
 5 Retirement Fund, \$1,719,497,000.

6 NATIONAL GUARD PERSONNEL, ARMY

7 For pay, allowances, clothing, subsistence, gratuities,
 8 travel, and related expenses for personnel of the Army Na-
 9 tional Guard while on duty under section 10211, 10302,
 10 or 12402 of title 10 or section 708 of title 32, United
 11 States Code, or while serving on duty under section
 12 12301(d) of title 10 or section 502(f) of title 32, United
 13 States Code, in connection with performing duty specified
 14 in section 12310(a) of title 10, United States Code, or
 15 while undergoing training, or while performing drills or
 16 equivalent duty or other duty, and expenses authorized by
 17 section 16131 of title 10, United States Code; and for pay-
 18 ments to the Department of Defense Military Retirement
 19 Fund, \$7,959,072,000.

20 NATIONAL GUARD PERSONNEL, AIR FORCE

21 For pay, allowances, clothing, subsistence, gratuities,
 22 travel, and related expenses for personnel of the Air Na-
 23 tional Guard on duty under section 10211, 10305, or
 24 12402 of title 10 or section 708 of title 32, United States
 25 Code, or while serving on duty under section 12301(d) of

1 title 10 or section 502(f) of title 32, United States Code,
 2 in connection with performing duty specified in section
 3 12310(a) of title 10, United States Code, or while under-
 4 going training, or while performing drills or equivalent
 5 duty or other duty, and expenses authorized by section
 6 16131 of title 10, United States Code; and for payments
 7 to the Department of Defense Military Retirement Fund,
 8 \$3,145,144,000.

9 TITLE II

10 OPERATION AND MAINTENANCE

11 OPERATION AND MAINTENANCE, ARMY

12 For expenses, not otherwise provided for, necessary
 13 for the operation and maintenance of the Army, as author-
 14 ized by law; and not to exceed \$12,478,000 can be used
 15 for emergencies and extraordinary expenses, to be ex-
 16 pended on the approval or authority of the Secretary of
 17 the Army, and payments may be made on his certificate
 18 of necessity for confidential military purposes,
 19 \$36,938,580,000.

20 OPERATION AND MAINTENANCE, NAVY

21 For expenses, not otherwise provided for, necessary
 22 for the operation and maintenance of the Navy and the
 23 Marine Corps, as authorized by law; and not to exceed
 24 \$15,055,000 can be used for emergencies and extraor-
 25 dinary expenses, to be expended on the approval or author-

ity of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, \$41,613,205,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$6,359,736,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, \$37,626,333,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$32,597,068,000: *Provided*, That not more than \$25,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Pro-*

1 *vided further*, That not to exceed \$36,000,000 can be used
2 for emergencies and extraordinary expenses, to be ex-
3 pended on the approval or authority of the Secretary of
4 Defense, and payments may be made on his certificate of
5 necessity for confidential military purposes: *Provided fur-*
6 *ther*, That of the funds provided under this heading, not
7 less than \$36,262,000 shall be made available for the Pro-
8 curement Technical Assistance Cooperative Agreement
9 Program, of which not less than \$3,600,000 shall be avail-
10 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*
11 *vided further*, That none of the funds appropriated or oth-
12 erwise made available by this Act may be used to plan
13 or implement the consolidation of a budget or appropria-
14 tions liaison office of the Office of the Secretary of De-
15 fense, the office of the Secretary of a military department,
16 or the service headquarters of one of the Armed Forces
17 into a legislative affairs or legislative liaison office: *Pro-*
18 *vided further*, That \$8,721,000, to remain available until
19 expended, is available only for expenses relating to certain
20 classified activities, and may be transferred as necessary
21 by the Secretary of Defense to operation and maintenance
22 appropriations or research, development, test and evalua-
23 tion appropriations, to be merged with and to be available
24 for the same time period as the appropriations to which
25 transferred: *Provided further*, That any ceiling on the in-

1 vestment item unit cost of items that may be purchased
 2 with operation and maintenance funds shall not apply to
 3 the funds described in the preceding proviso: *Provided fur-*
 4 *ther*, That the transfer authority provided under this head-
 5 ing is in addition to any other transfer authority provided
 6 elsewhere in this Act.

7 OPERATION AND MAINTENANCE, ARMY RESERVE

8 For expenses, not otherwise provided for, necessary
 9 for the operation and maintenance, including training, or-
 10 ganization, and administration, of the Army Reserve; re-
 11 pair of facilities and equipment; hire of passenger motor
 12 vehicles; travel and transportation; care of the dead; re-
 13 cruiting; procurement of services, supplies, and equip-
 14 ment; and communications, \$3,096,436,000.

15 OPERATION AND MAINTENANCE, NAVY RESERVE

16 For expenses, not otherwise provided for, necessary
 17 for the operation and maintenance, including training, or-
 18 ganization, and administration, of the Navy Reserve; re-
 19 pair of facilities and equipment; hire of passenger motor
 20 vehicles; travel and transportation; care of the dead; re-
 21 cruiting; procurement of services, supplies, and equip-
 22 ment; and communications, \$1,208,552,000.

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 RESERVE

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance, including training, or-
5 ganization, and administration, of the Marine Corps Re-
6 serve; repair of facilities and equipment; hire of passenger
7 motor vehicles; travel and transportation; care of the dead;
8 recruiting; procurement of services, supplies, and equip-
9 ment; and communications, \$261,317,000.

10 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance, including training, or-
13 ganization, and administration, of the Air Force Reserve;
14 repair of facilities and equipment; hire of passenger motor
15 vehicles; travel and transportation; care of the dead; re-
16 cruiting; procurement of services, supplies, and equip-
17 ment; and communications, \$3,148,307,000.

18 OPERATION AND MAINTENANCE, ARMY NATIONAL

19 GUARD

20 For expenses of training, organizing, and admin-
21 istering the Army National Guard, including medical and
22 hospital treatment and related expenses in non-Federal
23 hospitals; maintenance, operation, and repairs to struc-
24 tures and facilities; hire of passenger motor vehicles; per-
25 sonnel services in the National Guard Bureau; travel ex-

1 penses (other than mileage), as authorized by law for
2 Army personnel on active duty, for Army National Guard
3 division, regimental, and battalion commanders while in-
4 specting units in compliance with National Guard Bureau
5 regulations when specifically authorized by the Chief, Na-
6 tional Guard Bureau; supplying and equipping the Army
7 National Guard as authorized by law; and expenses of re-
8 pair, modification, maintenance, and issue of supplies and
9 equipment (including aircraft), \$7,082,599,000.

10 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

11 For expenses of training, organizing, and admin-
12 istering the Air National Guard, including medical and
13 hospital treatment and related expenses in non-Federal
14 hospitals; maintenance, operation, and repairs to struc-
15 tures and facilities; transportation of things, hire of pas-
16 senger motor vehicles; supplying and equipping the Air
17 National Guard, as authorized by law; expenses for repair,
18 modification, maintenance, and issue of supplies and
19 equipment, including those furnished from stocks under
20 the control of agencies of the Department of Defense;
21 travel expenses (other than mileage) on the same basis as
22 authorized by law for Air National Guard personnel on
23 active Federal duty, for Air National Guard commanders
24 while inspecting units in compliance with National Guard

1 Bureau regulations when specifically authorized by the
 2 Chief, National Guard Bureau, \$6,505,204,000.

3 UNITED STATES COURT OF APPEALS FOR THE ARMED
 4 FORCES

5 For salaries and expenses necessary for the United
 6 States Court of Appeals for the Armed Forces,
 7 \$13,606,000, of which not to exceed \$5,000 may be used
 8 for official representation purposes.

9 ENVIRONMENTAL RESTORATION, ARMY
 10 (INCLUDING TRANSFER OF FUNDS)

11 For the Department of the Army, \$298,815,000, to
 12 remain available until transferred: *Provided*, That the Sec-
 13 retary of the Army shall, upon determining that such
 14 funds are required for environmental restoration, reduc-
 15 tion and recycling of hazardous waste, removal of unsafe
 16 buildings and debris of the Department of the Army, or
 17 for similar purposes, transfer the funds made available by
 18 this appropriation to other appropriations made available
 19 to the Department of the Army, to be merged with and
 20 to be available for the same purposes and for the same
 21 time period as the appropriations to which transferred:
 22 *Provided further*, That upon a determination that all or
 23 part of the funds transferred from this appropriation are
 24 not necessary for the purposes provided herein, such
 25 amounts may be transferred back to this appropriation:

1 *Provided further*, That the transfer authority provided
2 under this heading is in addition to any other transfer au-
3 thority provided elsewhere in this Act.

4 ENVIRONMENTAL RESTORATION, NAVY

5 (INCLUDING TRANSFER OF FUNDS)

6 For the Department of the Navy, \$316,103,000, to
7 remain available until transferred: *Provided*, That the Sec-
8 retary of the Navy shall, upon determining that such
9 funds are required for environmental restoration, reduc-
10 tion and recycling of hazardous waste, removal of unsafe
11 buildings and debris of the Department of the Navy, or
12 for similar purposes, transfer the funds made available by
13 this appropriation to other appropriations made available
14 to the Department of the Navy, to be merged with and
15 to be available for the same purposes and for the same
16 time period as the appropriations to which transferred:
17 *Provided further*, That upon a determination that all or
18 part of the funds transferred from this appropriation are
19 not necessary for the purposes provided herein, such
20 amounts may be transferred back to this appropriation:
21 *Provided further*, That the transfer authority provided
22 under this heading is in addition to any other transfer au-
23 thority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Air Force, \$439,820,000,
4 to remain available until transferred: *Provided*, That the
5 Secretary of the Air Force shall, upon determining that
6 such funds are required for environmental restoration, re-
7 duction and recycling of hazardous waste, removal of un-
8 safe buildings and debris of the Department of the Air
9 Force, or for similar purposes, transfer the funds made
10 available by this appropriation to other appropriations
11 made available to the Department of the Air Force, to be
12 merged with and to be available for the same purposes
13 and for the same time period as the appropriations to
14 which transferred: *Provided further*, That upon a deter-
15 mination that all or part of the funds transferred from
16 this appropriation are not necessary for the purposes pro-
17 vided herein, such amounts may be transferred back to
18 this appropriation: *Provided further*, That the transfer au-
19 thority provided under this heading is in addition to any
20 other transfer authority provided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of Defense, \$10,757,000, to re-
24 main available until transferred: *Provided*, That the Sec-
25 retary of Defense shall, upon determining that such funds

1 are required for environmental restoration, reduction and
 2 recycling of hazardous waste, removal of unsafe buildings
 3 and debris of the Department of Defense, or for similar
 4 purposes, transfer the funds made available by this appro-
 5 priation to other appropriations made available to the De-
 6 partment of Defense, to be merged with and to be avail-
 7 able for the same purposes and for the same time period
 8 as the appropriations to which transferred: *Provided fur-*
 9 *ther*, That upon a determination that all or part of the
 10 funds transferred from this appropriation are not nec-
 11 essary for the purposes provided herein, such amounts
 12 may be transferred back to this appropriation: *Provided*
 13 *further*, That the transfer authority provided under this
 14 heading is in addition to any other transfer authority pro-
 15 vided elsewhere in this Act.

16 ENVIRONMENTAL RESTORATION, FORMERLY USED
 17 DEFENSE SITES
 18 (INCLUDING TRANSFER OF FUNDS)

19 For the Department of the Army, \$287,443,000, to
 20 remain available until transferred: *Provided*, That the Sec-
 21 retary of the Army shall, upon determining that such
 22 funds are required for environmental restoration, reduc-
 23 tion and recycling of hazardous waste, removal of unsafe
 24 buildings and debris at sites formerly used by the Depart-
 25 ment of Defense, transfer the funds made available by this

1 appropriation to other appropriations made available to
 2 the Department of the Army, to be merged with and to
 3 be available for the same purposes and for the same time
 4 period as the appropriations to which transferred: *Pro-*
 5 *vided further*, That upon a determination that all or part
 6 of the funds transferred from this appropriation are not
 7 necessary for the purposes provided herein, such amounts
 8 may be transferred back to this appropriation: *Provided*
 9 *further*, That the transfer authority provided under this
 10 heading is in addition to any other transfer authority pro-
 11 vided elsewhere in this Act.

12 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

13 For expenses relating to the Overseas Humanitarian,
 14 Disaster, and Civic Aid programs of the Department of
 15 Defense (consisting of the programs provided under sec-
 16 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
 17 United States Code), \$109,500,000, to remain available
 18 until September 30, 2015.

19 COOPERATIVE THREAT REDUCTION ACCOUNT

20 For assistance to the republics of the former Soviet
 21 Union and, with appropriate authorization by the Depart-
 22 ment of Defense and Department of State, to countries
 23 outside of the former Soviet Union, including assistance
 24 provided by contract or by grants, for facilitating the
 25 elimination and the safe and secure transportation and

1 storage of nuclear, chemical and other weapons; for estab-
 2 lishing programs to prevent the proliferation of weapons,
 3 weapons components, and weapon-related technology and
 4 expertise; for programs relating to the training and sup-
 5 port of defense and military personnel for demilitarization
 6 and protection of weapons, weapons components and
 7 weapons technology and expertise, and for defense and
 8 military contacts, \$528,455,000, to remain available until
 9 September 30, 2016.

10 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE
 11 DEVELOPMENT FUND

12 For the Department of Defense Acquisition Work-
 13 force Development Fund, \$131,331,000.

14 TITLE III

15 PROCUREMENT

16 AIRCRAFT PROCUREMENT, ARMY

17 For construction, procurement, production, modifica-
 18 tion, and modernization of aircraft, equipment, including
 19 ordnance, ground handling equipment, spare parts, and
 20 accessories therefor; specialized equipment and training
 21 devices; expansion of public and private plants, including
 22 the land necessary therefor, for the foregoing purposes,
 23 and such lands and interests therein, may be acquired,
 24 and construction prosecuted thereon prior to approval of
 25 title; and procurement and installation of equipment, ap-

1 pliances, and machine tools in public and private plants;
 2 reserve plant and Government and contractor-owned
 3 equipment layaway; and other expenses necessary for the
 4 foregoing purposes, \$4,931,222,000, to remain available
 5 for obligation until September 30, 2016.

6 MISSILE PROCUREMENT, ARMY

7 For construction, procurement, production, modifica-
 8 tion, and modernization of missiles, equipment, including
 9 ordnance, ground handling equipment, spare parts, and
 10 accessories therefor; specialized equipment and training
 11 devices; expansion of public and private plants, including
 12 the land necessary therefor, for the foregoing purposes,
 13 and such lands and interests therein, may be acquired,
 14 and construction prosecuted thereon prior to approval of
 15 title; and procurement and installation of equipment, ap-
 16 pliances, and machine tools in public and private plants;
 17 reserve plant and Government and contractor-owned
 18 equipment layaway; and other expenses necessary for the
 19 foregoing purposes, \$1,277,125,000, to remain available
 20 for obligation until September 30, 2016.

21 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

22 VEHICLES, ARMY

23 For construction, procurement, production, and
 24 modification of weapons and tracked combat vehicles,
 25 equipment, including ordnance, spare parts, and acces-

1 sories therefor; specialized equipment and training devices;
 2 expansion of public and private plants, including the land
 3 necessary therefor, for the foregoing purposes, and such
 4 lands and interests therein, may be acquired, and con-
 5 struction prosecuted thereon prior to approval of title; and
 6 procurement and installation of equipment, appliances,
 7 and machine tools in public and private plants; reserve
 8 plant and Government and contractor-owned equipment
 9 layaway; and other expenses necessary for the foregoing
 10 purposes, \$1,572,828,000, to remain available for obliga-
 11 tion until September 30, 2016.

12 PROCUREMENT OF AMMUNITION, ARMY

13 For construction, procurement, production, and
 14 modification of ammunition, and accessories therefor; spe-
 15 cialized equipment and training devices; expansion of pub-
 16 lic and private plants, including ammunition facilities, au-
 17 thorized by section 2854 of title 10, United States Code,
 18 and the land necessary therefor, for the foregoing pur-
 19 poses, and such lands and interests therein, may be ac-
 20 quired, and construction prosecuted thereon prior to ap-
 21 proval of title; and procurement and installation of equip-
 22 ment, appliances, and machine tools in public and private
 23 plants; reserve plant and Government and contractor-
 24 owned equipment layaway; and other expenses necessary

1 for the foregoing purposes, \$1,454,067,000, to remain
2 available for obligation until September 30, 2016.

3 OTHER PROCUREMENT, ARMY

4 For construction, procurement, production, and
5 modification of vehicles, including tactical, support, and
6 non-tracked combat vehicles; the purchase of passenger
7 motor vehicles for replacement only; communications and
8 electronic equipment; other support equipment; spare
9 parts, ordnance, and accessories therefor; specialized
10 equipment and training devices; expansion of public and
11 private plants, including the land necessary therefor, for
12 the foregoing purposes, and such lands and interests
13 therein, may be acquired, and construction prosecuted
14 thereon prior to approval of title; and procurement and
15 installation of equipment, appliances, and machine tools
16 in public and private plants; reserve plant and Govern-
17 ment and contractor-owned equipment layaway; and other
18 expenses necessary for the foregoing purposes,
19 \$6,242,899,000, to remain available for obligation until
20 September 30, 2016.

21 AIRCRAFT PROCUREMENT, NAVY

22 For construction, procurement, production, modifica-
23 tion, and modernization of aircraft, equipment, including
24 ordnance, spare parts, and accessories therefor; specialized
25 equipment; expansion of public and private plants, includ-

1 ing the land necessary therefor, and such lands and inter-
 2 ests therein, may be acquired, and construction prosecuted
 3 thereon prior to approval of title; and procurement and
 4 installation of equipment, appliances, and machine tools
 5 in public and private plants; reserve plant and Govern-
 6 ment and contractor-owned equipment layaway,
 7 \$17,501,539,000, to remain available for obligation until
 8 September 30, 2016.

9 WEAPONS PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-
 11 tion, and modernization of missiles, torpedoes, other weap-
 12 ons, and related support equipment including spare parts,
 13 and accessories therefor; expansion of public and private
 14 plants, including the land necessary therefor, and such
 15 lands and interests therein, may be acquired, and con-
 16 struction prosecuted thereon prior to approval of title; and
 17 procurement and installation of equipment, appliances,
 18 and machine tools in public and private plants; reserve
 19 plant and Government and contractor-owned equipment
 20 layaway, \$3,107,400,000, to remain available for obliga-
 21 tion until September 30, 2016.

22 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
 23 CORPS

24 For construction, procurement, production, and
 25 modification of ammunition, and accessories therefor; spe-

1 cialized equipment and training devices; expansion of pub-
 2 lic and private plants, including ammunition facilities, au-
 3 thorized by section 2854 of title 10, United States Code,
 4 and the land necessary therefor, for the foregoing pur-
 5 poses, and such lands and interests therein, may be ac-
 6 quired, and construction prosecuted thereon prior to ap-
 7 proval of title; and procurement and installation of equip-
 8 ment, appliances, and machine tools in public and private
 9 plants; reserve plant and Government and contractor-
 10 owned equipment layaway; and other expenses necessary
 11 for the foregoing purposes, \$594,467,000, to remain avail-
 12 able for obligation until September 30, 2016.

13 SHIPBUILDING AND CONVERSION, NAVY

14 For expenses necessary for the construction, acquisi-
 15 tion, or conversion of vessels as authorized by law, includ-
 16 ing armor and armament thereof, plant equipment, appli-
 17 ances, and machine tools and installation thereof in public
 18 and private plants; reserve plant and Government and con-
 19 tractor-owned equipment layaway; procurement of critical,
 20 long lead time components and designs for vessels to be
 21 constructed or converted in the future; and expansion of
 22 public and private plants, including land necessary there-
 23 for, and such lands and interests therein, may be acquired,
 24 and construction prosecuted thereon prior to approval of
 25 title, as follows:

1 Carrier Replacement Program, \$917,553,000;
 2 Virginia Class Submarine, \$2,930,704,000;
 3 Virginia Class Submarine (AP),
 4 \$2,354,612,000;
 5 CVN Refueling Overhaul, \$1,683,353,000;
 6 CVN Refueling Overhauls (AP), \$245,793,000;
 7 DDG-1000 Program, \$231,694,000;
 8 DDG-51 Destroyer, \$1,615,564,000;
 9 DDG-51 Destroyer (AP), \$379,551,000;
 10 Littoral Combat Ship, \$1,793,014,000;
 11 Afloat Forward Staging Base, \$579,300,000;
 12 Joint High Speed Vessel, \$2,732,000;
 13 Moored Training Ship, \$207,300,000;
 14 LCAC Service Life Extension Program,
 15 \$80,987,000; and
 16 For outfitting, post delivery, conversions, and
 17 first destination transportation, \$438,136,000.
 18 Completion of Prior Year Shipbuilding Pro-
 19 grams, \$960,400,000.
 20 In all: \$14,420,693,000, to remain available for obli-
 21 gation until September 30, 2018: *Provided*, That addi-
 22 tional obligations may be incurred after September 30,
 23 2018, for engineering services, tests, evaluations, and
 24 other such budgeted work that must be performed in the
 25 final stage of ship construction: *Provided further*, That

1 none of the funds provided under this heading for the con-
 2 struction or conversion of any naval vessel to be con-
 3 structed in shipyards in the United States shall be ex-
 4 pended in foreign facilities for the construction of major
 5 components of such vessel: *Provided further*, That none
 6 of the funds provided under this heading shall be used
 7 for the construction of any naval vessel in foreign ship-
 8 yards.

9 OTHER PROCUREMENT, NAVY

10 For procurement, production, and modernization of
 11 support equipment and materials not otherwise provided
 12 for, Navy ordnance (except ordnance for new aircraft, new
 13 ships, and ships authorized for conversion); the purchase
 14 of passenger motor vehicles for replacement only; expan-
 15 sion of public and private plants, including the land nec-
 16 essary therefor, and such lands and interests therein, may
 17 be acquired, and construction prosecuted thereon prior to
 18 approval of title; and procurement and installation of
 19 equipment, appliances, and machine tools in public and
 20 private plants; reserve plant and Government and con-
 21 tractor-owned equipment layaway, \$6,058,377,000, to re-
 22 main available for obligation until September 30, 2016.

23 PROCUREMENT, MARINE CORPS

24 For expenses necessary for the procurement, manu-
 25 facture, and modification of missiles, armament, military

1 equipment, spare parts, and accessories therefor; plant
 2 equipment, appliances, and machine tools, and installation
 3 thereof in public and private plants; reserve plant and
 4 Government and contractor-owned equipment layaway; ve-
 5 hicles for the Marine Corps, including the purchase of pas-
 6 senger motor vehicles for replacement only; and expansion
 7 of public and private plants, including land necessary
 8 therefor, and such lands and interests therein, may be ac-
 9 quired, and construction prosecuted thereon prior to ap-
 10 proval of title, \$1,325,407,000, to remain available for ob-
 11 ligation until September 30, 2016.

12 AIRCRAFT PROCUREMENT, AIR FORCE

13 For construction, procurement, and modification of
 14 aircraft and equipment, including armor and armament,
 15 specialized ground handling equipment, and training de-
 16 vices, spare parts, and accessories therefor; specialized
 17 equipment; expansion of public and private plants, Gov-
 18 ernment-owned equipment and installation thereof in such
 19 plants, erection of structures, and acquisition of land, for
 20 the foregoing purposes, and such lands and interests
 21 therein, may be acquired, and construction prosecuted
 22 thereon prior to approval of title; reserve plant and Gov-
 23 ernment and contractor-owned equipment layaway; and
 24 other expenses necessary for the foregoing purposes in-
 25 cluding rents and transportation of things,

1 \$10,917,270,000, to remain available for obligation until
2 September 30, 2016.

3 MISSILE PROCUREMENT, AIR FORCE

4 For construction, procurement, and modification of
5 missiles, spacecraft, rockets, and related equipment, in-
6 cluding spare parts and accessories therefor, ground han-
7 dling equipment, and training devices; expansion of public
8 and private plants, Government-owned equipment and in-
9 stallation thereof in such plants, erection of structures,
10 and acquisition of land, for the foregoing purposes, and
11 such lands and interests therein, may be acquired, and
12 construction prosecuted thereon prior to approval of title;
13 reserve plant and Government and contractor-owned
14 equipment layaway; and other expenses necessary for the
15 foregoing purposes including rents and transportation of
16 things, \$5,178,486,000, to remain available for obligation
17 until September 30, 2016.

18 PROCUREMENT OF AMMUNITION, AIR FORCE

19 For construction, procurement, production, and
20 modification of ammunition, and accessories therefor; spe-
21 cialized equipment and training devices; expansion of pub-
22 lic and private plants, including ammunition facilities, au-
23 thorized by section 2854 of title 10, United States Code,
24 and the land necessary therefor, for the foregoing pur-
25 poses, and such lands and interests therein, may be ac-

1 quired, and construction prosecuted thereon prior to ap-
2 proval of title; and procurement and installation of equip-
3 ment, appliances, and machine tools in public and private
4 plants; reserve plant and Government and contractor-
5 owned equipment layaway; and other expenses necessary
6 for the foregoing purposes, \$759,442,000, to remain avail-
7 able for obligation until September 30, 2016.

8 OTHER PROCUREMENT, AIR FORCE

9 For procurement and modification of equipment (in-
10 cluding ground guidance and electronic control equipment,
11 and ground electronic and communication equipment),
12 and supplies, materials, and spare parts therefor, not oth-
13 erwise provided for; the purchase of passenger motor vehi-
14 cles for replacement only; lease of passenger motor vehi-
15 cles; and expansion of public and private plants, Govern-
16 ment-owned equipment and installation thereof in such
17 plants, erection of structures, and acquisition of land, for
18 the foregoing purposes, and such lands and interests
19 therein, may be acquired, and construction prosecuted
20 thereon, prior to approval of title; reserve plant and Gov-
21 ernment and contractor-owned equipment layaway,
22 \$17,542,627,000, to remain available for obligation until
23 September 30, 2016.

1 PROCUREMENT, DEFENSE-WIDE

2 For expenses of activities and agencies of the Depart-
3 ment of Defense (other than the military departments)
4 necessary for procurement, production, and modification
5 of equipment, supplies, materials, and spare parts there-
6 for, not otherwise provided for; the purchase of passenger
7 motor vehicles for replacement only; expansion of public
8 and private plants, equipment, and installation thereof in
9 such plants, erection of structures, and acquisition of land
10 for the foregoing purposes, and such lands and interests
11 therein, may be acquired, and construction prosecuted
12 thereon prior to approval of title; reserve plant and Gov-
13 ernment and contractor-owned equipment layaway,
14 \$4,434,769,000, to remain available for obligation until
15 September 30, 2016.

16 DEFENSE PRODUCTION ACT PURCHASES

17 For activities by the Department of Defense pursuant
18 to sections 108, 301, 302, and 303 of the Defense Produc-
19 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and
20 2093), \$50,135,000, to remain available until expended.

21 NATIONAL GUARD AND RESERVE EQUIPMENT

22 For procurement of aircraft, missiles, tracked combat
23 vehicles, ammunition, other weapons and other procure-
24 ment for the reserve components of the Armed Forces,
25 \$1,000,000,000, to remain available for obligation until

1 September 30, 2016: *Provided*, That the Chiefs of Na-
 2 tional Guard and Reserve components shall, not later than
 3 30 days after the enactment of this Act, individually sub-
 4 mit to the congressional defense committees the mod-
 5 ernization priority assessment for their respective Na-
 6 tional Guard or Reserve component.

7 TITLE IV

8 RESEARCH, DEVELOPMENT, TEST AND 9 EVALUATION

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION, 11 ARMY

12 For expenses necessary for basic and applied sci-
 13 entific research, development, test and evaluation, includ-
 14 ing maintenance, rehabilitation, lease, and operation of fa-
 15 cilities and equipment, \$7,576,342,000, to remain avail-
 16 able for obligation until September 30, 2015.

17 RESEARCH, DEVELOPMENT, TEST AND EVALUATION, 18 NAVY

19 For expenses necessary for basic and applied sci-
 20 entific research, development, test and evaluation, includ-
 21 ing maintenance, rehabilitation, lease, and operation of fa-
 22 cilities and equipment, \$15,403,145,000, to remain avail-
 23 able for obligation until September 30, 2015: *Provided*,
 24 That funds appropriated in this paragraph which are
 25 available for the V-22 may be used to meet unique oper-

ational requirements of the Special Operations Forces:
Provided further, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$24,945,541,000, to remain available for obligation until September 30, 2015.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 DEFENSE-WIDE
 (INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$17,695,487,000, to remain available for obligation until September 30, 2015: *Provided*, That of the funds made available in this paragraph, \$150,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program

1 management and oversight, to conduct research, develop-
 2 ment, test and evaluation to include proof of concept dem-
 3 onstration; engineering, testing, and validation; and tran-
 4 sition to full-scale production: *Provided further*, That the
 5 Secretary of Defense may transfer funds provided herein
 6 for the Defense Rapid Innovation Program to appropria-
 7 tions for research, development, test and evaluation to ac-
 8 complish the purpose provided herein: *Provided further*,
 9 That this transfer authority is in addition to any other
 10 transfer authority available to the Department of Defense:
 11 *Provided further*, That the Secretary of Defense shall, not
 12 fewer than 30 days prior to making transfers from this
 13 appropriation, notify the congressional defense committees
 14 in writing of the details of any such transfer: *Provided*
 15 *further*, That funds appropriated in this paragraph shall
 16 be available for the Cobra Judy program.

17 OPERATIONAL TEST AND EVALUATION, DEFENSE

18 For expenses, not otherwise provided for, necessary
 19 for the independent activities of the Director, Operational
 20 Test and Evaluation, in the direction and supervision of
 21 operational test and evaluation, including initial oper-
 22 ational test and evaluation which is conducted prior to,
 23 and in support of, production decisions; joint operational
 24 testing and evaluation; and administrative expenses in

1 connection therewith, \$186,300,000, to remain available
 2 for obligation until September 30, 2015.

3 TITLE V

4 REVOLVING AND MANAGEMENT FUNDS

5 DEFENSE WORKING CAPITAL FUNDS

6 For the Defense Working Capital Funds,
 7 \$1,695,827,000.

8 NATIONAL DEFENSE SEALIFT FUND

9 For National Defense Sealift Fund programs,
 10 projects, and activities, and for expenses of the National
 11 Defense Reserve Fleet, as established by section 11 of the
 12 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),
 13 and for the necessary expenses to maintain and preserve
 14 a U.S.-flag merchant fleet to serve the national security
 15 needs of the United States, \$608,378,000, to remain avail-
 16 able until expended: *Provided*, That none of the funds pro-
 17 vided in this paragraph shall be used to award a new con-
 18 tract that provides for the acquisition of any of the fol-
 19 lowing major components unless such components are
 20 manufactured in the United States: auxiliary equipment,
 21 including pumps, for all shipboard services; propulsion
 22 system components (engines, reduction gears, and propel-
 23 lers); shipboard cranes; and spreaders for shipboard
 24 cranes: *Provided further*, That the exercise of an option
 25 in a contract awarded through the obligation of previously

1 appropriated funds shall not be considered to be the award
 2 of a new contract: *Provided further*, That the Secretary
 3 of the military department responsible for such procure-
 4 ment may waive the restrictions in the first proviso on
 5 a case-by-case basis by certifying in writing to the Com-
 6 mittees on Appropriations of the House of Representatives
 7 and the Senate that adequate domestic supplies are not
 8 available to meet Department of Defense requirements on
 9 a timely basis and that such an acquisition must be made
 10 in order to acquire capability for national security pur-
 11 poses.

12 TITLE VI

13 OTHER DEPARTMENT OF DEFENSE PROGRAMS

14 DEFENSE HEALTH PROGRAM

15 For expenses, not otherwise provided for, for medical
 16 and health care programs of the Department of Defense
 17 as authorized by law, \$33,607,019,000; of which
 18 \$31,617,225,000 shall be for operation and maintenance,
 19 of which not to exceed 1 percent shall remain available
 20 until September 30, 2015, and of which up to
 21 \$16,174,792,000 may be available for contracts entered
 22 into under the TRICARE program; of which
 23 \$671,181,000, to remain available for obligation until Sep-
 24 tember 30, 2016, shall be for procurement; and of which
 25 \$1,318,613,000, to remain available for obligation until

1 September 30, 2015, shall be for research, development,
 2 test and evaluation: *Provided further*, That of the funds
 3 provided to develop a joint or interoperable Department
 4 of Defense-Department of Veterans Affairs (DOD–VA) in-
 5 tegrated Electronic Health Record (iEHR), not more than
 6 25 percent may be obligated until the DOD–VA Inter-
 7 agency Program Office submits to the Committees on Ap-
 8 propriations of both Houses of Congress, and such Com-
 9 mittees approve, a plan for expenditure that: (1) defines
 10 the budget and cost baseline for development of the iEHR;
 11 (2) identifies the deployment timeline for the system for
 12 both Departments; (3) breaks out annual and total spend-
 13 ing for each Department; (4) relays detailed cost-sharing
 14 business rules; (5) establishes data standardization sched-
 15 ules between the Departments; (6) has been submitted to
 16 the Government Accountability Office for review; and (7)
 17 complies with the acquisition rules, requirements, guide-
 18 lines, and systems acquisition management practices of
 19 the Federal Government.

20 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
 21 DEFENSE

22 For expenses, not otherwise provided for, necessary
 23 for the destruction of the United States stockpile of lethal
 24 chemical agents and munitions in accordance with the pro-
 25 visions of section 1412 of the Department of Defense Au-

1 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
 2 struction of other chemical warfare materials that are not
 3 in the chemical weapon stockpile, \$1,057,123,000, of
 4 which \$451,572,000 shall be for operation and mainte-
 5 nance, of which no less than \$51,217,000 shall be for the
 6 Chemical Stockpile Emergency Preparedness Program,
 7 consisting of \$21,489,000 for activities on military instal-
 8 lations and \$29,728,000, to remain available until Sep-
 9 tember 30, 2015, to assist State and local governments;
 10 \$1,368,000 shall be for procurement, to remain available
 11 until September 30, 2016, of which \$1,368,000 shall be
 12 for the Chemical Stockpile Emergency Preparedness Pro-
 13 gram to assist State and local governments; and
 14 \$604,183,000, to remain available until September 30,
 15 2015, shall be for research, development, test and evalua-
 16 tion, of which \$584,238,000 shall only be for the Assem-
 17 bled Chemical Weapons Alternatives (ACWA) program.

18 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

19 DEFENSE

20 (INCLUDING TRANSFER OF FUNDS)

21 For drug interdiction and counter-drug activities of
 22 the Department of Defense, for transfer to appropriations
 23 available to the Department of Defense for military per-
 24 sonnel of the reserve components serving under the provi-
 25 sions of title 10 and title 32, United States Code; for oper-

1 ation and maintenance; for procurement; and for research,
 2 development, test and evaluation, \$1,068,545,000: *Pro-*
 3 *vided*, That the funds appropriated under this heading
 4 shall be available for obligation for the same time period
 5 and for the same purpose as the appropriation to which
 6 transferred: *Provided further*, That upon a determination
 7 that all or part of the funds transferred from this appro-
 8 priation are not necessary for the purposes provided here-
 9 in, such amounts may be transferred back to this appro-
 10 priation: *Provided further*, That the transfer authority pro-
 11 vided under this heading is in addition to any other trans-
 12 fer authority contained elsewhere in this Act.

13 OFFICE OF THE INSPECTOR GENERAL

14 For expenses and activities of the Office of the In-
 15 spector General in carrying out the provisions of the In-
 16 spector General Act of 1978, as amended, \$348,031,000,
 17 of which \$347,031,000 shall be for operation and mainte-
 18 nance, of which not to exceed \$700,000 is available for
 19 emergencies and extraordinary expenses to be expended on
 20 the approval or authority of the Inspector General, and
 21 payments may be made on the Inspector General's certifi-
 22 cate of necessity for confidential military purposes; of
 23 which \$1,000,000, to remain available until September 30,
 24 2016, shall be for procurement: *Provided*, That the Office
 25 of the Inspector General, in coordination with the Depart-

1 ment of Veterans Affairs' Office of the Inspector General,
 2 shall examine the process and procedures currently in
 3 place in the transmission of service treatment and per-
 4 sonnel records from the Department of Defense to the De-
 5 partment of Veterans Affairs.

6 TITLE VII

7 RELATED AGENCIES

8 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND 9 DISABILITY SYSTEM FUND

10 For payment to the Central Intelligence Agency Re-
 11 tirement and Disability System Fund, to maintain the
 12 proper funding level for continuing the operation of the
 13 Central Intelligence Agency Retirement and Disability
 14 System, \$514,000,000.

15 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

16 For necessary expenses of the Intelligence Commu-
 17 nity Management Account, \$568,671,000.

18 TITLE VIII

19 GENERAL PROVISIONS

20 SEC. 8001. No part of any appropriation contained
 21 in this Act shall be used for publicity or propaganda pur-
 22 poses not authorized by the Congress.

23 SEC. 8002. During the current fiscal year, provisions
 24 of law prohibiting the payment of compensation to, or em-
 25 ployment of, any person not a citizen of the United States

1 shall not apply to personnel of the Department of Defense:
 2 *Provided*, That salary increases granted to direct and indi-
 3 rect hire foreign national employees of the Department of
 4 Defense funded by this Act shall not be at a rate in excess
 5 of the percentage increase authorized by law for civilian
 6 employees of the Department of Defense whose pay is
 7 computed under the provisions of section 5332 of title 5,
 8 United States Code, or at a rate in excess of the percent-
 9 age increase provided by the appropriate host nation to
 10 its own employees, whichever is higher: *Provided further*,
 11 That this section shall not apply to Department of De-
 12 fense foreign service national employees serving at United
 13 States diplomatic missions whose pay is set by the Depart-
 14 ment of State under the Foreign Service Act of 1980: *Pro-*
 15 *vided further*, That the limitations of this provision shall
 16 not apply to foreign national employees of the Department
 17 of Defense in the Republic of Turkey.

18 SEC. 8003. No part of any appropriation contained
 19 in this Act shall remain available for obligation beyond
 20 the current fiscal year, unless expressly so provided herein.

21 SEC. 8004. No more than 20 percent of the appro-
 22 priations in this Act which are limited for obligation dur-
 23 ing the current fiscal year shall be obligated during the
 24 last 2 months of the fiscal year: *Provided*, That this sec-
 25 tion shall not apply to obligations for support of active

1 duty training of reserve components or summer camp
2 training of the Reserve Officers' Training Corps.

3 (TRANSFER OF FUNDS)

4 SEC. 8005. Upon determination by the Secretary of
5 Defense that such action is necessary in the national inter-
6 est, he may, with the approval of the Office of Manage-
7 ment and Budget, transfer not to exceed \$5,000,000,000
8 of working capital funds of the Department of Defense
9 or funds made available in this Act to the Department
10 of Defense for military functions (except military con-
11 struction) between such appropriations or funds or any
12 subdivision thereof, to be merged with and to be available
13 for the same purposes, and for the same time period, as
14 the appropriation or fund to which transferred: *Provided*,
15 That such authority to transfer may not be used unless
16 for higher priority items, based on unforeseen military re-
17 quirements, than those for which originally appropriated
18 and in no case where the item for which funds are re-
19 quested has been denied by the Congress: *Provided further*,
20 That the Secretary of Defense shall notify the Congress
21 promptly of all transfers made pursuant to this authority
22 or any other authority in this Act: *Provided further*, That
23 no part of the funds in this Act shall be available to pre-
24 pare or present a request to the Committees on Appropria-
25 tions for reprogramming of funds, unless for higher pri-

1 ority items, based on unforeseen military requirements,
2 than those for which originally appropriated and in no
3 case where the item for which reprogramming is requested
4 has been denied by the Congress: *Provided further*, That
5 a request for multiple reprogrammings of funds using au-
6 thority provided in this section shall be made prior to June
7 30, 2014: *Provided further*, That transfers among military
8 personnel appropriations shall not be taken into account
9 for purposes of the limitation on the amount of funds that
10 may be transferred under this section.

11 SEC. 8006. (a) With regard to the list of specific pro-
12 grams, projects, and activities (and the dollar amounts
13 and adjustments to budget activities corresponding to
14 such programs, projects, and activities) contained in the
15 tables titled “Committee Recommended Adjustments” in
16 the explanatory statement regarding this Act, the obliga-
17 tion and expenditure of amounts appropriated or other-
18 wise made available in this Act for those programs,
19 projects, and activities for which the amounts appro-
20 priated exceed the amounts requested are hereby required
21 by law to be carried out in the manner provided by such
22 tables to the same extent as if the tables were included
23 in the text of this Act.

24 (b) Amounts specified in the referenced tables de-
25 scribed in subsection (a) shall not be treated as subdivi-

1 sions of appropriations for purposes of section 8005 of this
 2 Act: *Provided*, That section 8005 shall apply when trans-
 3 fers of the amounts described in subsection (a) occur be-
 4 tween appropriation accounts.

5 SEC. 8007. (a) Not later than 60 days after enact-
 6 ment of this Act, the Department of Defense shall submit
 7 a report to the congressional defense committees to estab-
 8 lish the baseline for application of reprogramming and
 9 transfer authorities for fiscal year 2014: *Provided*, That
 10 the report shall include—

11 (1) a table for each appropriation with a sepa-
 12 rate column to display the President’s budget re-
 13 quest, adjustments made by Congress, adjustments
 14 due to enacted rescissions, if appropriate, and the
 15 fiscal year enacted level;

16 (2) a delineation in the table for each appro-
 17 priation both by budget activity and program,
 18 project, and activity as detailed in the Budget Ap-
 19 pendix; and

20 (3) an identification of items of special congres-
 21 sional interest.

22 (b) Notwithstanding section 8005 of this Act, none
 23 of the funds provided in this Act shall be available for
 24 reprogramming or transfer until the report identified in
 25 subsection (a) is submitted to the congressional defense

1 committees, unless the Secretary of Defense certifies in
2 writing to the congressional defense committees that such
3 reprogramming or transfer is necessary as an emergency
4 requirement.

5 (TRANSFER OF FUNDS)

6 SEC. 8008. During the current fiscal year, cash bal-
7 ances in working capital funds of the Department of De-
8 fense established pursuant to section 2208 of title 10,
9 United States Code, may be maintained in only such
10 amounts as are necessary at any time for cash disburse-
11 ments to be made from such funds: *Provided*, That trans-
12 fers may be made between such funds: *Provided further*,
13 That transfers may be made between working capital
14 funds and the “Foreign Currency Fluctuations, Defense”
15 appropriation and the “Operation and Maintenance” ap-
16 propriation accounts in such amounts as may be deter-
17 mined by the Secretary of Defense, with the approval of
18 the Office of Management and Budget, except that such
19 transfers may not be made unless the Secretary of Defense
20 has notified the Congress of the proposed transfer. Except
21 in amounts equal to the amounts appropriated to working
22 capital funds in this Act, no obligations may be made
23 against a working capital fund to procure or increase the
24 value of war reserve material inventory, unless the Sec-

1 retary of Defense has notified the Congress prior to any
2 such obligation.

3 SEC. 8009. Funds appropriated by this Act may not
4 be used to initiate a special access program without prior
5 notification 30 calendar days in advance to the congress-
6 sional defense committees.

7 SEC. 8010. None of the funds provided in this Act
8 shall be available to initiate: (1) a multiyear contract that
9 employs economic order quantity procurement in excess of
10 \$20,000,000 in any one year of the contract or that in-
11 cludes an unfunded contingent liability in excess of
12 \$20,000,000; or (2) a contract for advance procurement
13 leading to a multiyear contract that employs economic
14 order quantity procurement in excess of \$20,000,000 in
15 any one year, unless the congressional defense committees
16 have been notified at least 30 days in advance of the pro-
17 posed contract award: *Provided*, That no part of any ap-
18 propriation contained in this Act shall be available to ini-
19 tiate a multiyear contract for which the economic order
20 quantity advance procurement is not funded at least to
21 the limits of the Government's liability: *Provided further*,
22 That no part of any appropriation contained in this Act
23 shall be available to initiate multiyear procurement con-
24 tracts for any systems or component thereof if the value
25 of the multiyear contract would exceed \$500,000,000 un-

1 less specifically provided in this Act: *Provided further*,
2 That no multiyear procurement contract can be termi-
3 nated without 10-day prior notification to the congres-
4 sional defense committees: *Provided further*, That the exe-
5 cution of multiyear authority shall require the use of a
6 present value analysis to determine lowest cost compared
7 to an annual procurement: *Provided further*, That none of
8 the funds provided in this Act may be used for a multiyear
9 contract executed after the date of the enactment of this
10 Act unless in the case of any such contract—

11 (1) the Secretary of Defense has submitted to
12 Congress a budget request for full funding of units
13 to be procured through the contract and, in the case
14 of a contract for procurement of aircraft, that in-
15 cludes, for any aircraft unit to be procured through
16 the contract for which procurement funds are re-
17 quested in that budget request for production be-
18 yond advance procurement activities in the fiscal
19 year covered by the budget, full funding of procure-
20 ment of such unit in that fiscal year;

21 (2) cancellation provisions in the contract do
22 not include consideration of recurring manufacturing
23 costs of the contractor associated with the produc-
24 tion of unfunded units to be delivered under the con-
25 tract;

1 (3) the contract provides that payments to the
 2 contractor under the contract shall not be made in
 3 advance of incurred costs on funded units; and

4 (4) the contract does not provide for a price ad-
 5 justment based on a failure to award a follow-on
 6 contract.

7 Funds appropriated in title III of this Act may be
 8 used for a multiyear procurement contract as follows:

9 E-2D Advanced Hawkeye, SSN 774 Virginia
 10 class submarine, KC-130J, C-130J, HC-130J,
 11 MC-130J, AC-130J aircraft, and government-fur-
 12 nished equipment.

13 SEC. 8011. Within the funds appropriated for the op-
 14 eration and maintenance of the Armed Forces, funds are
 15 hereby appropriated pursuant to section 401 of title 10,
 16 United States Code, for humanitarian and civic assistance
 17 costs under chapter 20 of title 10, United States Code.
 18 Such funds may also be obligated for humanitarian and
 19 civic assistance costs incidental to authorized operations
 20 and pursuant to authority granted in section 401 of chap-
 21 ter 20 of title 10, United States Code, and these obliga-
 22 tions shall be reported as required by section 401(d) of
 23 title 10, United States Code: *Provided*, That funds avail-
 24 able for operation and maintenance shall be available for
 25 providing humanitarian and similar assistance by using

1 Civic Action Teams in the Trust Territories of the Pacific
2 Islands and freely associated states of Micronesia, pursu-
3 ant to the Compact of Free Association as authorized by
4 Public Law 99–239: *Provided further*, That upon a deter-
5 mination by the Secretary of the Army that such action
6 is beneficial for graduate medical education programs con-
7 ducted at Army medical facilities located in Hawaii, the
8 Secretary of the Army may authorize the provision of med-
9 ical services at such facilities and transportation to such
10 facilities, on a nonreimbursable basis, for civilian patients
11 from American Samoa, the Commonwealth of the North-
12 ern Mariana Islands, the Marshall Islands, the Federated
13 States of Micronesia, Palau, and Guam.

14 SEC. 8012. (a) During fiscal year 2014, the civilian
15 personnel of the Department of Defense may not be man-
16 aged on the basis of any end-strength, and the manage-
17 ment of such personnel during that fiscal year shall not
18 be subject to any constraint or limitation (known as an
19 end-strength) on the number of such personnel who may
20 be employed on the last day of such fiscal year.

21 (b) The fiscal year 2015 budget request for the De-
22 partment of Defense as well as all justification material
23 and other documentation supporting the fiscal year 2015
24 Department of Defense budget request shall be prepared
25 and submitted to the Congress as if subsections (a) and

1 (b) of this provision were effective with regard to fiscal
2 year 2015.

3 (c) Nothing in this section shall be construed to apply
4 to military (civilian) technicians.

5 SEC. 8013. None of the funds made available by this
6 Act shall be used in any way, directly or indirectly, to in-
7 fluence congressional action on any legislation or appro-
8 priation matters pending before the Congress.

9 SEC. 8014. None of the funds appropriated by this
10 Act shall be available for the basic pay and allowances of
11 any member of the Army participating as a full-time stu-
12 dent and receiving benefits paid by the Secretary of Vet-
13 erans Affairs from the Department of Defense Education
14 Benefits Fund when time spent as a full-time student is
15 credited toward completion of a service commitment: *Pro-*
16 *vided*, That this section shall not apply to those members
17 who have reenlisted with this option prior to October 1,
18 1987: *Provided further*, That this section applies only to
19 active components of the Army.

20 (TRANSFER OF FUNDS)

21 SEC. 8015. Funds appropriated in title III of this Act
22 for the Department of Defense Pilot Mentor-Protégé Pro-
23 gram may be transferred to any other appropriation con-
24 tained in this Act solely for the purpose of implementing
25 a Mentor-Protégé Program developmental assistance

1 agreement pursuant to section 831 of the National De-
2 fense Authorization Act for Fiscal Year 1991 (Public Law
3 101–510; 10 U.S.C. 2302 note), as amended, under the
4 authority of this provision or any other transfer authority
5 contained in this Act.

6 SEC. 8016. None of the funds in this Act may be
7 available for the purchase by the Department of Defense
8 (and its departments and agencies) of welded shipboard
9 anchor and mooring chain 4 inches in diameter and under
10 unless the anchor and mooring chain are manufactured
11 in the United States from components which are substan-
12 tially manufactured in the United States: *Provided*, That
13 for the purpose of this section, the term “manufactured”
14 shall include cutting, heat treating, quality control, testing
15 of chain and welding (including the forging and shot blast-
16 ing process): *Provided further*, That for the purpose of this
17 section substantially all of the components of anchor and
18 mooring chain shall be considered to be produced or manu-
19 factured in the United States if the aggregate cost of the
20 components produced or manufactured in the United
21 States exceeds the aggregate cost of the components pro-
22 duced or manufactured outside the United States: *Pro-*
23 *vided further*, That when adequate domestic supplies are
24 not available to meet Department of Defense requirements
25 on a timely basis, the Secretary of the service responsible

1 for the procurement may waive this restriction on a case-
2 by-case basis by certifying in writing to the Committees
3 on Appropriations that such an acquisition must be made
4 in order to acquire capability for national security pur-
5 poses.

6 SEC. 8017. None of the funds available to the De-
7 partment of Defense may be used to demilitarize or dis-
8 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
9 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or
10 to demilitarize or destroy small arms ammunition or am-
11 munition components that are not otherwise prohibited
12 from commercial sale under Federal law, unless the small
13 arms ammunition or ammunition components are certified
14 by the Secretary of the Army or designee as unserviceable
15 or unsafe for further use.

16 SEC. 8018. No more than \$500,000 of the funds ap-
17 propriated or made available in this Act shall be used dur-
18 ing a single fiscal year for any single relocation of an orga-
19 nization, unit, activity or function of the Department of
20 Defense into or within the National Capital Region: *Pro-*
21 *vided*, That the Secretary of Defense may waive this re-
22 striction on a case-by-case basis by certifying in writing
23 to the congressional defense committees that such a relo-
24 cation is required in the best interest of the Government.

1 SEC. 8019. Up to \$15,000,000 of the funds appro-
2 priated in this Act may be made available for incentive
3 payments authorized by section 504 of the Indian Financ-
4 ing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime
5 contractor or a subcontractor at any tier that makes a
6 subcontract award to any subcontractor or supplier as de-
7 fined in section 1544 of title 25, United States Code, or
8 a small business owned and controlled by an individual
9 or individuals defined under section 4221(9) of title 25,
10 United States Code, shall be considered a contractor for
11 the purposes of being allowed additional compensation
12 under section 504 of the Indian Financing Act of 1974
13 (25 U.S.C. 1544) whenever the prime contract or sub-
14 contract amount is over \$500,000 and involves the ex-
15 penditure of funds appropriated by an Act making Appro-
16 priations for the Department of Defense with respect to
17 any fiscal year: *Provided further*, That notwithstanding
18 section 1906 of title 41, United States Code, this section
19 shall be applicable to any Department of Defense acquisi-
20 tion of supplies or services, including any contract and any
21 subcontract at any tier for acquisition of commercial items
22 produced or manufactured, in whole or in part, by any
23 subcontractor or supplier defined in section 1544 of title
24 25, United States Code, or a small business owned and

1 controlled by an individual or individuals defined under
2 section 4221(9) of title 25, United States Code.

3 SEC. 8020. Funds appropriated by this Act for the
4 Defense Media Activity shall not be used for any national
5 or international political or psychological activities.

6 SEC. 8021. During the current fiscal year, the De-
7 partment of Defense is authorized to incur obligations of
8 not to exceed \$350,000,000 for purposes specified in sec-
9 tion 2350j(c) of title 10, United States Code, in anticipa-
10 tion of receipt of contributions, only from the Government
11 of Kuwait, under that section: *Provided*, That upon re-
12 ceipt, such contributions from the Government of Kuwait
13 shall be credited to the appropriations or fund which in-
14 curred such obligations.

15 SEC. 8022. (a) Of the funds made available in this
16 Act, not less than \$38,600,000 shall be available for the
17 Civil Air Patrol Corporation, of which—

18 (1) \$28,400,000 shall be available from “Oper-
19 ation and Maintenance, Air Force” to support Civil
20 Air Patrol Corporation operation and maintenance,
21 readiness, counterdrug activities, and drug demand
22 reduction activities involving youth programs; and

23 (2) \$10,200,000 shall be available from “Air-
24 craft Procurement, Air Force”.

1 (b) The Secretary of the Air Force should waive reim-
2 bursement for any funds used by the Civil Air Patrol for
3 counter-drug activities in support of Federal, State, and
4 local government agencies.

5 SEC. 8023. (a) None of the funds appropriated in this
6 Act are available to establish a new Department of De-
7 fense (department) federally funded research and develop-
8 ment center (FFRDC), either as a new entity, or as a
9 separate entity administrated by an organization man-
10 aging another FFRDC, or as a nonprofit membership cor-
11 poration consisting of a consortium of other FFRDCs and
12 other nonprofit entities.

13 (b) No member of a Board of Directors, Trustees,
14 Overseers, Advisory Group, Special Issues Panel, Visiting
15 Committee, or any similar entity of a defense FFRDC,
16 and no paid consultant to any defense FFRDC, except
17 when acting in a technical advisory capacity, may be com-
18 pensated for his or her services as a member of such enti-
19 ty, or as a paid consultant by more than one FFRDC in
20 a fiscal year: *Provided*, That a member of any such entity
21 referred to previously in this subsection shall be allowed
22 travel expenses and per diem as authorized under the Fed-
23 eral Joint Travel Regulations, when engaged in the per-
24 formance of membership duties.

1 (c) Notwithstanding any other provision of law, none
2 of the funds available to the department from any source
3 during fiscal year 2014 may be used by a defense FFRDC,
4 through a fee or other payment mechanism, for construc-
5 tion of new buildings, for payment of cost sharing for
6 projects funded by Government grants, for absorption of
7 contract overruns, or for certain charitable contributions,
8 not to include employee participation in community service
9 and/or development.

10 (d) Notwithstanding any other provision of law, of
11 the funds available to the department during fiscal year
12 2014, not more than 5,750 staff years of technical effort
13 (staff years) may be funded for defense FFRDCs: *Pro-*
14 *vided*, That of the specific amount referred to previously
15 in this subsection, not more than 1,125 staff years may
16 be funded for the defense studies and analysis FFRDCs:
17 *Provided further*, That this subsection shall not apply to
18 staff years funded in the National Intelligence Program
19 (NIP) and the Military Intelligence Program (MIP).

20 (e) The Secretary of Defense shall, with the submis-
21 sion of the department's fiscal year 2015 budget request,
22 submit a report presenting the specific amounts of staff
23 years of technical effort to be allocated for each defense
24 FFRDC during that fiscal year and the associated budget
25 estimates.

1 (f) Notwithstanding any other provision of this Act,
2 the total amount appropriated in this Act for FFRDCs
3 is hereby reduced by \$40,000,000.

4 SEC. 8024. None of the funds appropriated or made
5 available in this Act shall be used to procure carbon, alloy,
6 or armor steel plate for use in any Government-owned fa-
7 cility or property under the control of the Department of
8 Defense which were not melted and rolled in the United
9 States or Canada: *Provided*, That these procurement re-
10 strictions shall apply to any and all Federal Supply Class
11 9515, American Society of Testing and Materials (ASTM)
12 or American Iron and Steel Institute (AISI) specifications
13 of carbon, alloy or armor steel plate: *Provided further*,
14 That the Secretary of the military department responsible
15 for the procurement may waive this restriction on a case-
16 by-case basis by certifying in writing to the Committees
17 on Appropriations of the House of Representatives and the
18 Senate that adequate domestic supplies are not available
19 to meet Department of Defense requirements on a timely
20 basis and that such an acquisition must be made in order
21 to acquire capability for national security purposes: *Pro-*
22 *vided further*, That these restrictions shall not apply to
23 contracts which are in being as of the date of the enact-
24 ment of this Act.

1 SEC. 8025. For the purposes of this Act, the term
2 “congressional defense committees” means the Armed
3 Services Committee of the House of Representatives, the
4 Armed Services Committee of the Senate, the Sub-
5 committee on Defense of the Committee on Appropriations
6 of the Senate, and the Subcommittee on Defense of the
7 Committee on Appropriations of the House of Representa-
8 tives.

9 SEC. 8026. During the current fiscal year, the De-
10 partment of Defense may acquire the modification, depot
11 maintenance and repair of aircraft, vehicles and vessels
12 as well as the production of components and other De-
13 fense-related articles, through competition between De-
14 partment of Defense depot maintenance activities and pri-
15 vate firms: *Provided*, That the Senior Acquisition Execu-
16 tive of the military department or Defense Agency con-
17 cerned, with power of delegation, shall certify that success-
18 ful bids include comparable estimates of all direct and in-
19 direct costs for both public and private bids: *Provided fur-*
20 *ther*, That Office of Management and Budget Circular A-
21 76 shall not apply to competitions conducted under this
22 section.

23 SEC. 8027. (a)(1) If the Secretary of Defense, after
24 consultation with the United States Trade Representative,
25 determines that a foreign country which is party to an

1 agreement described in paragraph (2) has violated the
2 terms of the agreement by discriminating against certain
3 types of products produced in the United States that are
4 covered by the agreement, the Secretary of Defense shall
5 rescind the Secretary's blanket waiver of the Buy Amer-
6 ican Act with respect to such types of products produced
7 in that foreign country.

8 (2) An agreement referred to in paragraph (1) is any
9 reciprocal defense procurement memorandum of under-
10 standing, between the United States and a foreign country
11 pursuant to which the Secretary of Defense has prospec-
12 tively waived the Buy American Act for certain products
13 in that country.

14 (b) The Secretary of Defense shall submit to the Con-
15 gress a report on the amount of Department of Defense
16 purchases from foreign entities in fiscal year 2014. Such
17 report shall separately indicate the dollar value of items
18 for which the Buy American Act was waived pursuant to
19 any agreement described in subsection (a)(2), the Trade
20 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
21 international agreement to which the United States is a
22 party.

23 (c) For purposes of this section, the term "Buy
24 American Act" means chapter 83 of title 41, United
25 States Code.

1 SEC. 8028. During the current fiscal year, amounts
2 contained in the Department of Defense Overseas Military
3 Facility Investment Recovery Account established by sec-
4 tion 2921(c)(1) of the National Defense Authorization Act
5 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall
6 be available until expended for the payments specified by
7 section 2921(c)(2) of that Act.

8 SEC. 8029. (a) Notwithstanding any other provision
9 of law, the Secretary of the Air Force may convey at no
10 cost to the Air Force, without consideration, to Indian
11 tribes located in the States of Nevada, Idaho, North Da-
12 kota, South Dakota, Montana, Oregon, Minnesota, and
13 Washington relocatable military housing units located at
14 Grand Forks Air Force Base, Malmstrom Air Force Base,
15 Mountain Home Air Force Base, Ellsworth Air Force
16 Base, and Minot Air Force Base that are excess to the
17 needs of the Air Force.

18 (b) The Secretary of the Air Force shall convey, at
19 no cost to the Air Force, military housing units under sub-
20 section (a) in accordance with the request for such units
21 that are submitted to the Secretary by the Operation
22 Walking Shield Program on behalf of Indian tribes located
23 in the States of Nevada, Idaho, North Dakota, South Da-
24 kota, Montana, Oregon, Minnesota, and Washington. Any
25 such conveyance shall be subject to the condition that the

1 housing units shall be removed within a reasonable period
2 of time, as determined by the Secretary.

3 (c) The Operation Walking Shield Program shall re-
4 solve any conflicts among requests of Indian tribes for
5 housing units under subsection (a) before submitting re-
6 quests to the Secretary of the Air Force under subsection
7 (b).

8 (d) In this section, the term “Indian tribe” means
9 any recognized Indian tribe included on the current list
10 published by the Secretary of the Interior under section
11 104 of the Federally Recognized Indian Tribe Act of 1994
12 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–
13 1).

14 SEC. 8030. During the current fiscal year, appropria-
15 tions which are available to the Department of Defense
16 for operation and maintenance may be used to purchase
17 items having an investment item unit cost of not more
18 than \$250,000.

19 SEC. 8031. (a) During the current fiscal year, none
20 of the appropriations or funds available to the Department
21 of Defense Working Capital Funds shall be used for the
22 purchase of an investment item for the purpose of acquir-
23 ing a new inventory item for sale or anticipated sale dur-
24 ing the current fiscal year or a subsequent fiscal year to
25 customers of the Department of Defense Working Capital

1 Funds if such an item would not have been chargeable
2 to the Department of Defense Business Operations Fund
3 during fiscal year 1994 and if the purchase of such an
4 investment item would be chargeable during the current
5 fiscal year to appropriations made to the Department of
6 Defense for procurement.

7 (b) The fiscal year 2015 budget request for the De-
8 partment of Defense as well as all justification material
9 and other documentation supporting the fiscal year 2015
10 Department of Defense budget shall be prepared and sub-
11 mitted to the Congress on the basis that any equipment
12 which was classified as an end item and funded in a pro-
13 curement appropriation contained in this Act shall be
14 budgeted for in a proposed fiscal year 2015 procurement
15 appropriation and not in the supply management business
16 area or any other area or category of the Department of
17 Defense Working Capital Funds.

18 SEC. 8032. None of the funds appropriated by this
19 Act for programs of the Central Intelligence Agency shall
20 remain available for obligation beyond the current fiscal
21 year, except for funds appropriated for the Reserve for
22 Contingencies, which shall remain available until Sep-
23 tember 30, 2015: *Provided*, That funds appropriated,
24 transferred, or otherwise credited to the Central Intel-
25 ligence Agency Central Services Working Capital Fund

1 during this or any prior or subsequent fiscal year shall
2 remain available until expended: *Provided further*, That
3 any funds appropriated or transferred to the Central Intel-
4 ligence Agency for advanced research and development ac-
5 quisition, for agent operations, and for covert action pro-
6 grams authorized by the President under section 503 of
7 the National Security Act of 1947, as amended, shall re-
8 main available until September 30, 2015.

9 SEC. 8033. Notwithstanding any other provision of
10 law, funds made available in this Act for the Defense In-
11 telligence Agency may be used for the design, develop-
12 ment, and deployment of General Defense Intelligence
13 Program intelligence communications and intelligence in-
14 formation systems for the Services, the Unified and Speci-
15 fied Commands, and the component commands.

16 SEC. 8034. Of the funds appropriated to the Depart-
17 ment of Defense under the heading “Operation and Main-
18 tenance, Defense-Wide”, not less than \$12,000,000 may
19 be made available only for the mitigation of environmental
20 impacts, including training and technical assistance to
21 tribes, related administrative support, the gathering of in-
22 formation, documenting of environmental damage, and de-
23 veloping a system for prioritization of mitigation and cost
24 to complete estimates for mitigation, on Indian lands re-
25 sulting from Department of Defense activities.

1 SEC. 8035. (a) None of the funds appropriated in this
2 Act may be expended by an entity of the Department of
3 Defense unless the entity, in expending the funds, com-
4 plies with the Buy American Act. For purposes of this
5 subsection, the term “Buy American Act” means chapter
6 83 of title 41, United States Code.

7 (b) If the Secretary of Defense determines that a per-
8 son has been convicted of intentionally affixing a label
9 bearing a “Made in America” inscription to any product
10 sold in or shipped to the United States that is not made
11 in America, the Secretary shall determine, in accordance
12 with section 2410f of title 10, United States Code, wheth-
13 er the person should be debarred from contracting with
14 the Department of Defense.

15 (c) In the case of any equipment or products pur-
16 chased with appropriations provided under this Act, it is
17 the sense of the Congress that any entity of the Depart-
18 ment of Defense, in expending the appropriation, purchase
19 only American-made equipment and products, provided
20 that American-made equipment and products are cost-
21 competitive, quality competitive, and available in a timely
22 fashion.

23 SEC. 8036. None of the funds appropriated by this
24 Act shall be available for a contract for studies, analysis,
25 or consulting services entered into without competition on

1 the basis of an unsolicited proposal unless the head of the
2 activity responsible for the procurement determines—

3 (1) as a result of thorough technical evaluation,
4 only one source is found fully qualified to perform
5 the proposed work;

6 (2) the purpose of the contract is to explore an
7 unsolicited proposal which offers significant sci-
8 entific or technological promise, represents the prod-
9 uct of original thinking, and was submitted in con-
10 fidence by one source; or

11 (3) the purpose of the contract is to take ad-
12 vantage of unique and significant industrial accom-
13 plishment by a specific concern, or to insure that a
14 new product or idea of a specific concern is given fi-
15 nancial support: *Provided*, That this limitation shall
16 not apply to contracts in an amount of less than
17 \$25,000, contracts related to improvements of equip-
18 ment that is in development or production, or con-
19 tracts as to which a civilian official of the Depart-
20 ment of Defense, who has been confirmed by the
21 Senate, determines that the award of such contract
22 is in the interest of the national defense.

23 SEC. 8037. (a) Except as provided in subsections (b)
24 and (c), none of the funds made available by this Act may
25 be used—

1 (1) to establish a field operating agency; or

2 (2) to pay the basic pay of a member of the
3 Armed Forces or civilian employee of the depart-
4 ment who is transferred or reassigned from a head-
5 quarters activity if the member or employee's place
6 of duty remains at the location of that headquarters.

7 (b) The Secretary of Defense or Secretary of a mili-
8 tary department may waive the limitations in subsection
9 (a), on a case-by-case basis, if the Secretary determines,
10 and certifies to the Committees on Appropriations of the
11 House of Representatives and Senate that the granting
12 of the waiver will reduce the personnel requirements or
13 the financial requirements of the department.

14 (c) This section does not apply to—

15 (1) field operating agencies funded within the
16 National Intelligence Program;

17 (2) an Army field operating agency established
18 to eliminate, mitigate, or counter the effects of im-
19 provised explosive devices, and, as determined by the
20 Secretary of the Army, other similar threats; or

21 (3) an Army field operating agency established
22 to improve the effectiveness and efficiencies of bio-
23 metric activities and to integrate common biometric
24 technologies throughout the Department of Defense.

1 SEC. 8038. None of the funds appropriated in this
2 Act may be used for new designs or fielding of combat
3 and camouflage utility uniforms, including uniforms re-
4 flecting changes to the fabric and camouflage patterns
5 used in current combat and camouflage utility uniforms,
6 unless: the combat or camouflage utility uniform will be
7 adopted by all military services; or the military service
8 adopts a uniform currently in use by another military serv-
9 ice; or the Secretary of Defense grants an exception, based
10 on unique circumstance or requirements.

11 SEC. 8039. (a) None of the funds appropriated by
12 this Act shall be available to convert to contractor per-
13 formance an activity or function of the Department of De-
14 fense that, on or after the date of the enactment of this
15 Act, is performed by Department of Defense civilian em-
16 ployees unless—

17 (1) the conversion is based on the result of a
18 public-private competition that includes a most effi-
19 cient and cost effective organization plan developed
20 by such activity or function;

21 (2) the Competitive Sourcing Official deter-
22 mines that, over all performance periods stated in
23 the solicitation of offers for performance of the ac-
24 tivity or function, the cost of performance of the ac-
25 tivity or function by a contractor would be less costly

1 to the Department of Defense by an amount that
2 equals or exceeds the lesser of—

3 (A) 10 percent of the most efficient organi-
4 zation's personnel-related costs for performance
5 of that activity or function by Federal employ-
6 ees; or

7 (B) \$10,000,000; and

8 (3) the contractor does not receive an advan-
9 tage for a proposal that would reduce costs for the
10 Department of Defense by—

11 (A) not making an employer-sponsored
12 health insurance plan available to the workers
13 who are to be employed in the performance of
14 that activity or function under the contract; or

15 (B) offering to such workers an employer-
16 sponsored health benefits plan that requires the
17 employer to contribute less towards the pre-
18 mium or subscription share than the amount
19 that is paid by the Department of Defense for
20 health benefits for civilian employees under
21 chapter 89 of title 5, United States Code.

22 (b)(1) The Department of Defense, without regard
23 to subsection (a) of this section or subsection (a), (b), or
24 (c) of section 2461 of title 10, United States Code, and
25 notwithstanding any administrative regulation, require-

1 ment, or policy to the contrary shall have full authority
2 to enter into a contract for the performance of any com-
3 mercial or industrial type function of the Department of
4 Defense that—

5 (A) is included on the procurement list estab-
6 lished pursuant to section 2 of the Javits-Wagner-
7 O'Day Act (section 8503 of title 41, United States
8 Code);

9 (B) is planned to be converted to performance
10 by a qualified nonprofit agency for the blind or by
11 a qualified nonprofit agency for other severely handi-
12 capped individuals in accordance with that Act; or

13 (C) is planned to be converted to performance
14 by a qualified firm under at least 51 percent owner-
15 ship by an Indian tribe, as defined in section 4(e)
16 of the Indian Self-Determination and Education As-
17 sistance Act (25 U.S.C. 450b(e)), or a Native Ha-
18 waiian Organization, as defined in section 8(a)(15)
19 of the Small Business Act (15 U.S.C. 637(a)(15)).

20 (2) This section shall not apply to depot contracts
21 or contracts for depot maintenance as provided in sections
22 2469 and 2474 of title 10, United States Code.

23 (c) The conversion of any activity or function of the
24 Department of Defense under the authority provided by
25 this section shall be credited toward any competitive or

1 outsourcing goal, target, or measurement that may be es-
 2 tablished by statute, regulation, or policy and is deemed
 3 to be awarded under the authority of, and in compliance
 4 with, subsection (h) of section 2304 of title 10, United
 5 States Code, for the competition or outsourcing of com-
 6 mercial activities.

7 (RESCISSIONS)

8 SEC. 8040. Of the funds appropriated in Department
 9 of Defense Appropriations Acts, the following funds are
 10 hereby rescinded from the following accounts and pro-
 11 grams in the specified amounts:

12 “Weapons Procurement, Navy”, 2012/2014,
 13 \$33,300,000;

14 “Other Procurement, Navy”, 2012/2014,
 15 \$266,486,000;

16 “Aircraft Procurement, Air Force”, 2012/2014,
 17 \$579,735,000;

18 “Cooperative Threat Reduction Account”,
 19 2013/2015, \$75,000,000;

20 “Other Procurement, Army”, 2013/2015,
 21 \$60,426,000;

22 “Aircraft Procurement, Navy”, 2013/2015,
 23 \$30,256,000;

24 “Other Procurement, Navy”, 2013/2015,
 25 \$4,446,000;

1 “Aircraft Procurement, Air Force”, 2013/2015,
2 \$239,090,000;

3 “Other Procurement, Air Force”, 2013/2015,
4 \$6,000,000;

5 “Procurement, Defense-Wide”, 2013/2015,
6 \$27,366,000;

7 “Research, Development, Test and Evaluation,
8 Army”, 2013/2014, \$22,000,000;

9 “Research, Development, Test and Evaluation,
10 Navy”, 2013/2014, \$77,757,000;

11 “Research, Development, Test and Evaluation,
12 Air Force”, 2013/2014, \$12,104,000;

13 “Defense Health Program”, 2013/2014,
14 \$61,299,000; and

15 “Defense Health Program”, 2013/2015,
16 \$104,600,000.

17 SEC. 8041. None of the funds available in this Act
18 may be used to reduce the authorized positions for mili-
19 tary technicians (dual status) of the Army National
20 Guard, Air National Guard, Army Reserve and Air Force
21 Reserve for the purpose of applying any administratively
22 imposed civilian personnel ceiling, freeze, or reduction on
23 military technicians (dual status), unless such reductions
24 are a direct result of a reduction in military force struc-
25 ture.

1 SEC. 8042. None of the funds appropriated or other-
2 wise made available in this Act may be obligated or ex-
3 pended for assistance to the Democratic People's Republic
4 of Korea unless specifically appropriated for that purpose.

5 SEC. 8043. Funds appropriated in this Act for oper-
6 ation and maintenance of the Military Departments, Com-
7 batant Commands and Defense Agencies shall be available
8 for reimbursement of pay, allowances and other expenses
9 which would otherwise be incurred against appropriations
10 for the National Guard and Reserve when members of the
11 National Guard and Reserve provide intelligence or coun-
12 terintelligence support to Combatant Commands, Defense
13 Agencies and Joint Intelligence Activities, including the
14 activities and programs included within the National Intel-
15 ligence Program and the Military Intelligence Program:
16 *Provided*, That nothing in this section authorizes deviation
17 from established Reserve and National Guard personnel
18 and training procedures.

19 SEC. 8044. During the current fiscal year, none of
20 the funds appropriated in this Act may be used to reduce
21 the civilian medical and medical support personnel as-
22 signed to military treatment facilities below the September
23 30, 2003, level: *Provided*, That the Service Surgeons Gen-
24 eral may waive this section by certifying to the congres-
25 sional defense committees that the beneficiary population

1 is declining in some catchment areas and civilian strength
2 reductions may be consistent with responsible resource
3 stewardship and capitation-based budgeting.

4 SEC. 8045. (a) None of the funds available to the
5 Department of Defense for any fiscal year for drug inter-
6 diction or counter-drug activities may be transferred to
7 any other department or agency of the United States ex-
8 cept as specifically provided in an appropriations law.

9 (b) None of the funds available to the Central Intel-
10 ligence Agency for any fiscal year for drug interdiction
11 and counter-drug activities may be transferred to any
12 other department or agency of the United States except
13 as specifically provided in an appropriations law.

14 SEC. 8046. None of the funds appropriated by this
15 Act may be used for the procurement of ball and roller
16 bearings other than those produced by a domestic source
17 and of domestic origin: *Provided*, That the Secretary of
18 the military department responsible for such procurement
19 may waive this restriction on a case-by-case basis by certi-
20 fying in writing to the Committees on Appropriations of
21 the House of Representatives and the Senate, that ade-
22 quate domestic supplies are not available to meet Depart-
23 ment of Defense requirements on a timely basis and that
24 such an acquisition must be made in order to acquire ca-
25 pability for national security purposes: *Provided further*,

1 That this restriction shall not apply to the purchase of
2 “commercial items”, as defined by section 4(12) of the
3 Office of Federal Procurement Policy Act, except that the
4 restriction shall apply to ball or roller bearings purchased
5 as end items.

6 SEC. 8047. None of the funds in this Act may be
7 used to purchase any supercomputer which is not manu-
8 factured in the United States, unless the Secretary of De-
9 fense certifies to the congressional defense committees
10 that such an acquisition must be made in order to acquire
11 capability for national security purposes that is not avail-
12 able from United States manufacturers.

13 SEC. 8048. None of the funds made available in this
14 or any other Act may be used to pay the salary of any
15 officer or employee of the Department of Defense who ap-
16 proves or implements the transfer of administrative re-
17 sponsibilities or budgetary resources of any program,
18 project, or activity financed by this Act to the jurisdiction
19 of another Federal agency not financed by this Act with-
20 out the express authorization of Congress: *Provided*, That
21 this limitation shall not apply to transfers of funds ex-
22 pressly provided for in Defense Appropriations Acts, or
23 provisions of Acts providing supplemental appropriations
24 for the Department of Defense.

1 SEC. 8049. (a) Notwithstanding any other provision
2 of law, none of the funds available to the Department of
3 Defense for the current fiscal year may be obligated or
4 expended to transfer to another nation or an international
5 organization any defense articles or services (other than
6 intelligence services) for use in the activities described in
7 subsection (b) unless the congressional defense commit-
8 tees, the Committee on Foreign Affairs of the House of
9 Representatives, and the Committee on Foreign Relations
10 of the Senate are notified 15 days in advance of such
11 transfer.

12 (b) This section applies to—

13 (1) any international peacekeeping or peace-en-
14 forcement operation under the authority of chapter
15 VI or chapter VII of the United Nations Charter
16 under the authority of a United Nations Security
17 Council resolution; and

18 (2) any other international peacekeeping, peace-
19 enforcement, or humanitarian assistance operation.

20 (c) A notice under subsection (a) shall include the
21 following:

22 (1) A description of the equipment, supplies, or
23 services to be transferred.

24 (2) A statement of the value of the equipment,
25 supplies, or services to be transferred.

1 (3) In the case of a proposed transfer of equip-
2 ment or supplies—

3 (A) a statement of whether the inventory
4 requirements of all elements of the Armed
5 Forces (including the reserve components) for
6 the type of equipment or supplies to be trans-
7 ferred have been met; and

8 (B) a statement of whether the items pro-
9 posed to be transferred will have to be replaced
10 and, if so, how the President proposes to pro-
11 vide funds for such replacement.

12 SEC. 8050. None of the funds available to the De-
13 partment of Defense under this Act shall be obligated or
14 expended to pay a contractor under a contract with the
15 Department of Defense for costs of any amount paid by
16 the contractor to an employee when—

17 (1) such costs are for a bonus or otherwise in
18 excess of the normal salary paid by the contractor
19 to the employee; and

20 (2) such bonus is part of restructuring costs as-
21 sociated with a business combination.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 8051. During the current fiscal year, no more
24 than \$30,000,000 of appropriations made in this Act
25 under the heading “Operation and Maintenance, Defense-

1 Wide” may be transferred to appropriations available for
2 the pay of military personnel, to be merged with, and to
3 be available for the same time period as the appropriations
4 to which transferred, to be used in support of such per-
5 sonnel in connection with support and services for eligible
6 organizations and activities outside the Department of De-
7 fense pursuant to section 2012 of title 10, United States
8 Code.

9 SEC. 8052. During the current fiscal year, in the case
10 of an appropriation account of the Department of Defense
11 for which the period of availability for obligation has ex-
12 pired or which has closed under the provisions of section
13 1552 of title 31, United States Code, and which has a
14 negative unliquidated or unexpended balance, an obliga-
15 tion or an adjustment of an obligation may be charged
16 to any current appropriation account for the same purpose
17 as the expired or closed account if—

18 (1) the obligation would have been properly
19 chargeable (except as to amount) to the expired or
20 closed account before the end of the period of avail-
21 ability or closing of that account;

22 (2) the obligation is not otherwise properly
23 chargeable to any current appropriation account of
24 the Department of Defense; and

1 (3) in the case of an expired account, the obli-
2 gation is not chargeable to a current appropriation
3 of the Department of Defense under the provisions
4 of section 1405(b)(8) of the National Defense Au-
5 thorization Act for Fiscal Year 1991, Public Law
6 101–510, as amended (31 U.S.C. 1551 note): *Pro-*
7 *vided*, That in the case of an expired account, if sub-
8 sequent review or investigation discloses that there
9 was not in fact a negative unliquidated or unex-
10 pended balance in the account, any charge to a cur-
11 rent account under the authority of this section shall
12 be reversed and recorded against the expired ac-
13 count: *Provided further*, That the total amount
14 charged to a current appropriation under this sec-
15 tion may not exceed an amount equal to 1 percent
16 of the total appropriation for that account.

17 SEC. 8053. (a) Notwithstanding any other provision
18 of law, the Chief of the National Guard Bureau may per-
19 mit the use of equipment of the National Guard Distance
20 Learning Project by any person or entity on a space-avail-
21 able, reimbursable basis. The Chief of the National Guard
22 Bureau shall establish the amount of reimbursement for
23 such use on a case-by-case basis.

24 (b) Amounts collected under subsection (a) shall be
25 credited to funds available for the National Guard Dis-

1 tance Learning Project and be available to defray the costs
2 associated with the use of equipment of the project under
3 that subsection. Such funds shall be available for such
4 purposes without fiscal year limitation.

5 SEC. 8054. Using funds made available by this Act
6 or any other Act, the Secretary of the Air Force, pursuant
7 to a determination under section 2690 of title 10, United
8 States Code, may implement cost-effective agreements for
9 required heating facility modernization in the
10 Kaiserslautern Military Community in the Federal Repub-
11 lic of Germany: *Provided*, That in the City of
12 Kaiserslautern and at the Rhine Ordnance Barracks area,
13 such agreements will include the use of United States an-
14 thracite as the base load energy for municipal district heat
15 to the United States Defense installations: *Provided fur-*
16 *ther*, That at Landstuhl Army Regional Medical Center
17 and Ramstein Air Base, furnished heat may be obtained
18 from private, regional or municipal services, if provisions
19 are included for the consideration of United States coal
20 as an energy source.

21 SEC. 8055. None of the funds appropriated in title
22 IV of this Act may be used to procure end-items for deliv-
23 ery to military forces for operational training, operational
24 use or inventory requirements: *Provided*, That this restric-
25 tion does not apply to end-items used in development,

1 prototyping, and test activities preceding and leading to
2 acceptance for operational use: *Provided further*, That this
3 restriction does not apply to programs funded within the
4 National Intelligence Program: *Provided further*, That the
5 Secretary of Defense may waive this restriction on a case-
6 by-case basis by certifying in writing to the Committees
7 on Appropriations of the House of Representatives and the
8 Senate that it is in the national security interest to do
9 so.

10 SEC. 8056. (a) The Secretary of Defense may, on a
11 case-by-case basis, waive with respect to a foreign country
12 each limitation on the procurement of defense items from
13 foreign sources provided in law if the Secretary determines
14 that the application of the limitation with respect to that
15 country would invalidate cooperative programs entered
16 into between the Department of Defense and the foreign
17 country, or would invalidate reciprocal trade agreements
18 for the procurement of defense items entered into under
19 section 2531 of title 10, United States Code, and the
20 country does not discriminate against the same or similar
21 defense items produced in the United States for that coun-
22 try.

23 (b) Subsection (a) applies with respect to—

24 (1) contracts and subcontracts entered into on
25 or after the date of the enactment of this Act; and

1 (2) options for the procurement of items that
2 are exercised after such date under contracts that
3 are entered into before such date if the option prices
4 are adjusted for any reason other than the applica-
5 tion of a waiver granted under subsection (a).

6 (c) Subsection (a) does not apply to a limitation re-
7 garding construction of public vessels, ball and roller bear-
8 ings, food, and clothing or textile materials as defined by
9 section 11 (chapters 50–65) of the Harmonized Tariff
10 Schedule and products classified under headings 4010,
11 4202, 4203, 6401 through 6406, 6505, 7019, 7218
12 through 7229, 7304.41 through 7304.49, 7306.40, 7502
13 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

14 SEC. 8057. (a) IN GENERAL.—

15 (1) None of the funds made available by this
16 Act for the Department of Defense may be used to
17 support any training, equipment, or other assistance
18 for a unit of a foreign security force if the Secretary
19 of Defense has credible information, or has received
20 such information from the Secretary of State, that
21 the unit has committed a gross violation of human
22 rights.

23 (2) The Secretary of Defense, in consultation
24 with the Secretary of State, shall ensure that prior
25 to a decision to provide any training, equipment, or

1 other assistance to a unit of a foreign security force,
2 full consideration is given to any credible informa-
3 tion available to the Departments of Defense and
4 State relating to human rights violations by such
5 unit.

6 (b) EXCEPTION.—The prohibition in subsection
7 (a)(1) shall not apply if the Secretary of Defense, after
8 consultation with the Secretary of State, determines that
9 the government of such country is taking effective steps
10 to bring the responsible members of the security force unit
11 to justice.

12 (c) WAIVER.—The Secretary of Defense, after con-
13 sultation with the Secretary of State, may waive the prohi-
14 bition in subsection (a)(1) if the Secretary of Defense de-
15 termines that such waiver is required by extraordinary cir-
16 cumstances.

17 (d) PROCEDURES.—The Secretary of Defense shall
18 establish, and periodically update, procedures to ensure
19 that—

20 (1) any information in the possession of the De-
21 partment of Defense about gross violations of
22 human rights by units of foreign security forces is
23 shared on a timely basis with the Department of
24 State; and

1 (2) when vetting an individual for eligibility to
2 receive United States training, equipment, or other
3 assistance the individual's unit is also vetted.

4 (e) REPORT.—Not more than 15 days after the exer-
5 cise of any waiver under subsection (c), the Secretary of
6 Defense shall submit a report to the appropriate congres-
7 sional committees describing the information relating to
8 a gross violation of human rights; the extraordinary cir-
9 cumstances that necessitate the waiver; the purpose and
10 duration of the training, equipment, or other assistance;
11 and the United States forces and the foreign security
12 forces involved.

13 (f) DEFINITION.—For purposes of this section the
14 term “appropriate congressional committees” means the
15 congressional defense committees and the Committees on
16 Appropriations of the House of Representatives and the
17 Senate.

18 SEC. 8058. None of the funds appropriated or other-
19 wise made available by this or other Department of De-
20 fense Appropriations Acts may be obligated or expended
21 for the purpose of performing repairs or maintenance to
22 military family housing units of the Department of De-
23 fense, including areas in such military family housing
24 units that may be used for the purpose of conducting offi-
25 cial Department of Defense business.

1 SEC. 8059. Notwithstanding any other provision of
2 law, funds appropriated in this Act under the heading
3 “Research, Development, Test and Evaluation, Defense-
4 Wide” for any new start advanced concept technology
5 demonstration project or joint capability demonstration
6 project may only be obligated 45 days after a report, in-
7 cluding a description of the project, the planned acquisi-
8 tion and transition strategy and its estimated annual and
9 total cost, has been provided in writing to the congres-
10 sional defense committees: *Provided*, That the Secretary
11 of Defense may waive this restriction on a case-by-case
12 basis by certifying to the congressional defense committees
13 that it is in the national interest to do so.

14 SEC. 8060. The Secretary of Defense shall provide
15 a classified quarterly report beginning 30 days after enact-
16 ment of this Act, to the House and Senate Appropriations
17 Committees, Subcommittees on Defense on certain mat-
18 ters as directed in the classified annex accompanying this
19 Act.

20 SEC. 8061. During the current fiscal year, none of
21 the funds available to the Department of Defense may be
22 used to provide support to another department or agency
23 of the United States if such department or agency is more
24 than 90 days in arrears in making payment to the Depart-
25 ment of Defense for goods or services previously provided

1 to such department or agency on a reimbursable basis:
2 *Provided*, That this restriction shall not apply if the de-
3 partment is authorized by law to provide support to such
4 department or agency on a nonreimbursable basis, and is
5 providing the requested support pursuant to such author-
6 ity: *Provided further*, That the Secretary of Defense may
7 waive this restriction on a case-by-case basis by certifying
8 in writing to the Committees on Appropriations of the
9 House of Representatives and the Senate that it is in the
10 national security interest to do so.

11 SEC. 8062. Notwithstanding section 12310(b) of title
12 10, United States Code, a Reserve who is a member of
13 the National Guard serving on full-time National Guard
14 duty under section 502(f) of title 32, United States Code,
15 may perform duties in support of the ground-based ele-
16 ments of the National Ballistic Missile Defense System.

17 SEC. 8063. None of the funds provided in this Act
18 may be used to transfer to any nongovernmental entity
19 ammunition held by the Department of Defense that has
20 a center-fire cartridge and a United States military no-
21 menclature designation of “armor penetrator”, “armor
22 piercing (AP)”, “armor piercing incendiary (API)”, or
23 “armor-piercing incendiary tracer (API-T)”, except to an
24 entity performing demilitarization services for the Depart-
25 ment of Defense under a contract that requires the entity

1 to demonstrate to the satisfaction of the Department of
2 Defense that armor piercing projectiles are either: (1) ren-
3 dered incapable of reuse by the demilitarization process;
4 or (2) used to manufacture ammunition pursuant to a con-
5 tract with the Department of Defense or the manufacture
6 of ammunition for export pursuant to a License for Per-
7 manent Export of Unclassified Military Articles issued by
8 the Department of State.

9 SEC. 8064. Notwithstanding any other provision of
10 law, the Chief of the National Guard Bureau, or his des-
11 ignee, may waive payment of all or part of the consider-
12 ation that otherwise would be required under section 2667
13 of title 10, United States Code, in the case of a lease of
14 personal property for a period not in excess of 1 year to
15 any organization specified in section 508(d) of title 32,
16 United States Code, or any other youth, social, or fra-
17 ternal nonprofit organization as may be approved by the
18 Chief of the National Guard Bureau, or his designee, on
19 a case-by-case basis.

20 SEC. 8065. None of the funds appropriated by this
21 Act shall be used for the support of any nonappropriated
22 funds activity of the Department of Defense that procures
23 malt beverages and wine with nonappropriated funds for
24 resale (including such alcoholic beverages sold by the
25 drink) on a military installation located in the United

1 States unless such malt beverages and wine are procured
 2 within that State, or in the case of the District of Colum-
 3 bia, within the District of Columbia, in which the military
 4 installation is located: *Provided*, That in a case in which
 5 the military installation is located in more than one State,
 6 purchases may be made in any State in which the installa-
 7 tion is located: *Provided further*, That such local procure-
 8 ment requirements for malt beverages and wine shall
 9 apply to all alcoholic beverages only for military installa-
 10 tions in States which are not contiguous with another
 11 State: *Provided further*, That alcoholic beverages other
 12 than wine and malt beverages, in contiguous States and
 13 the District of Columbia shall be procured from the most
 14 competitive source, price and other factors considered.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8066. Of the amounts appropriated in this Act
 17 under the heading “Operation and Maintenance, Army”,
 18 \$108,725,800 shall remain available until expended: *Pro-*
 19 *vided*, That notwithstanding any other provision of law,
 20 the Secretary of Defense is authorized to transfer such
 21 funds to other activities of the Federal Government: *Pro-*
 22 *vided further*, That the Secretary of Defense is authorized
 23 to enter into and carry out contracts for the acquisition
 24 of real property, construction, personal services, and oper-
 25 ations related to projects carrying out the purposes of this

1 section: *Provided further*, That contracts entered into
 2 under the authority of this section may provide for such
 3 indemnification as the Secretary determines to be nec-
 4 essary: *Provided further*, That projects authorized by this
 5 section shall comply with applicable Federal, State, and
 6 local law to the maximum extent consistent with the na-
 7 tional security, as determined by the Secretary of Defense.

8 SEC. 8067. Section 8106 of the Department of De-
 9 fense Appropriations Act, 1997 (titles I through VIII of
 10 the matter under subsection 101(b) of Public Law 104–
 11 208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall con-
 12 tinue in effect to apply to disbursements that are made
 13 by the Department of Defense in fiscal year 2014.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 8068. During the current fiscal year, not to ex-
 16 ceed \$200,000,000 from funds available under “Operation
 17 and Maintenance, Defense-Wide” may be transferred to
 18 the Department of State “Global Security Contingency
 19 Fund”: *Provided*, That this transfer authority is in addi-
 20 tion to any other transfer authority available to the De-
 21 partment of Defense: *Provided further*, That the Secretary
 22 of Defense shall, not fewer than 30 days prior to making
 23 transfers to the Department of State “Global Security
 24 Contingency Fund”, notify the congressional defense com-
 25 mittees in writing with the source of funds and a detailed

1 justification, execution plan, and timeline for each pro-
 2 posed project.

3 SEC. 8069. The amounts appropriated in title I and
 4 II of this Act are hereby reduced by \$8,000,000: *Provided*,
 5 That the reduction shall be applied to funding for general
 6 and flag officers within the military personnel and oper-
 7 ation and maintenance appropriations: *Provided further*,
 8 That the Secretary of Defense shall notify the congres-
 9 sional defense committees of the reduction by appropria-
 10 tion and budget line item no later than 90 days after the
 11 enactment of this Act.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8070. Of the amounts appropriated in this Act
 14 under the headings “Procurement, Defense-Wide” and
 15 “Research, Development, Test and Evaluation, Defense-
 16 Wide”, \$489,091,000 shall be for the Israeli Cooperative
 17 Programs: *Provided*, That of this amount, \$220,309,000
 18 shall be for the Secretary of Defense to provide to the Gov-
 19 ernment of Israel for the procurement of the Iron Dome
 20 defense system to counter short-range rocket threats,
 21 \$149,712,000 shall be for the Short Range Ballistic Mis-
 22 sile Defense (SRBMD) program, including cruise missile
 23 defense research and development under the SRBMD pro-
 24 gram, of which \$15,000,000 shall be for production activi-
 25 ties of SRBMD missiles in the United States and in Israel

1 to meet Israel's defense requirements consistent with each
2 nation's laws, regulations, and procedures, \$74,707,000
3 shall be available for an upper-tier component to the
4 Israeli Missile Defense Architecture, and \$44,363,000
5 shall be for the Arrow System Improvement Program in-
6 cluding development of a long range, ground and airborne,
7 detection suite: *Provided further*, That funds made avail-
8 able under this provision for production of missiles and
9 missile components may be transferred to appropriations
10 available for the procurement of weapons and equipment,
11 to be merged with and to be available for the same time
12 period and the same purposes as the appropriation to
13 which transferred: *Provided further*, That the transfer au-
14 thority provided under this provision is in addition to any
15 other transfer authority contained in this Act.

16 SEC. 8071. None of the funds available to the De-
17 partment of Defense may be obligated to modify command
18 and control relationships to give Fleet Forces Command
19 operational and administrative control of U.S. Navy forces
20 assigned to the Pacific fleet: *Provided*, That the command
21 and control relationships which existed on October 1,
22 2004, shall remain in force unless changes are specifically
23 authorized in a subsequent Act: *Provided further*, That
24 this section does not apply to administrative control of
25 Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the heading “Shipbuilding and Conversion, Navy”, \$960,400,000 shall be available until September 30, 2014, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading “Shipbuilding and Conversion, Navy, 2007/2014”: LHA Replacement Program \$37,700,000;

(2) Under the heading “Shipbuilding and Conversion, Navy, 2008/2014”: Carrier Replacement Program \$588,100,000;

(3) Under the heading “Shipbuilding and Conversion, Navy 2010/2014”: Joint High Speed Vessel \$7,600,000;

(4) Under the heading “Shipbuilding and Conversion, Navy 2013/2014: Virginia class submarine \$227,000,000; and

(5) Under the heading “Shipbuilding and Conversion, Navy 2013/2014: DDG–51 \$100,000,000.

1 SEC. 8073. Funds appropriated by this Act, or made
2 available by the transfer of funds in this Act, for intel-
3 ligence activities are deemed to be specifically authorized
4 by the Congress for purposes of section 504 of the Na-
5 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
6 year 2014 until the enactment of the Intelligence Author-
7 ization Act for Fiscal Year 2014.

8 SEC. 8074. None of the funds provided in this Act
9 shall be available for obligation or expenditure through a
10 reprogramming of funds that creates or initiates a new
11 program, project, or activity unless such program, project,
12 or activity must be undertaken immediately in the interest
13 of national security and only after written prior notifica-
14 tion to the congressional defense committees.

15 SEC. 8075. The budget of the President for fiscal
16 year 2015 submitted to the Congress pursuant to section
17 1105 of title 31, United States Code, shall include sepa-
18 rate budget justification documents for costs of United
19 States Armed Forces' participation in contingency oper-
20 ations for the Military Personnel accounts, the Operation
21 and Maintenance accounts, the Procurement accounts,
22 and the Research, Development, Test and Evaluation ac-
23 counts: *Provided*, That these documents shall include a de-
24 scription of the funding requested for each contingency op-
25 eration, for each military service, to include all Active and

1 Reserve components, and for each appropriations account:
2 *Provided further*, That these documents shall include esti-
3 mated costs for each element of expense or object class,
4 a reconciliation of increases and decreases for each contin-
5 gency operation, and programmatic data including, but
6 not limited to, troop strength for each Active and Reserve
7 component, and estimates of the major weapons systems
8 deployed in support of each contingency: *Provided further*,
9 That these documents shall include budget exhibits OP-
10 5 and OP-32 (as defined in the Department of Defense
11 Financial Management Regulation) for all contingency op-
12 erations for the budget year and the two preceding fiscal
13 years.

14 SEC. 8076. None of the funds in this Act may be
15 used for research, development, test, evaluation, procure-
16 ment or deployment of nuclear armed interceptors of a
17 missile defense system.

18 SEC. 8077. In addition to the amounts appropriated
19 or otherwise made available elsewhere in this Act,
20 \$20,000,000 is hereby appropriated to the Department of
21 Defense: *Provided*, That upon the determination of the
22 Secretary of Defense that it shall serve the national inter-
23 est, he shall make grants in the amount specified as fol-
24 lows: \$20,000,000 to the United Service Organizations.

1 SEC. 8078. None of the funds appropriated or made
2 available in this Act shall be used to reduce or disestablish
3 the operation of the 53rd Weather Reconnaissance Squad-
4 ron of the Air Force Reserve, if such action would reduce
5 the WC-130 Weather Reconnaissance mission below the
6 levels funded in this Act: *Provided*, That the Air Force
7 shall allow the 53rd Weather Reconnaissance Squadron to
8 perform other missions in support of national defense re-
9 quirements during the non-hurricane season.

10 SEC. 8079. None of the funds provided in this Act
11 shall be available for integration of foreign intelligence in-
12 formation unless the information has been lawfully col-
13 lected and processed during the conduct of authorized for-
14 eign intelligence activities: *Provided*, That information
15 pertaining to United States persons shall only be handled
16 in accordance with protections provided in the Fourth
17 Amendment of the United States Constitution as imple-
18 mented through Executive Order No. 12333.

19 SEC. 8080. (a) At the time members of reserve com-
20 ponents of the Armed Forces are called or ordered to ac-
21 tive duty under section 12302(a) of title 10, United States
22 Code, each member shall be notified in writing of the ex-
23 pected period during which the member will be mobilized.

24 (b) The Secretary of Defense may waive the require-
25 ments of subsection (a) in any case in which the Secretary

1 determines that it is necessary to do so to respond to a
2 national security emergency or to meet dire operational
3 requirements of the Armed Forces.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8081. The Secretary of Defense may transfer
6 funds from any available Department of the Navy appro-
7 priation to any available Navy ship construction appro-
8 priation for the purpose of liquidating necessary changes
9 resulting from inflation, market fluctuations, or rate ad-
10 justments for any ship construction program appropriated
11 in law: *Provided*, That the Secretary may transfer not to
12 exceed \$100,000,000 under the authority provided by this
13 section: *Provided further*, That the Secretary may not
14 transfer any funds until 30 days after the proposed trans-
15 fer has been reported to the Committees on Appropria-
16 tions of the House of Representatives and the Senate, un-
17 less a response from the Committees is received sooner:
18 *Provided further*, That any funds transferred pursuant to
19 this section shall retain the same period of availability as
20 when originally appropriated: *Provided further*, That the
21 transfer authority provided by this section is in addition
22 to any other transfer authority contained elsewhere in this
23 Act.

24 SEC. 8082. For purposes of section 7108 of title 41,
25 United States Code, any subdivision of appropriations

1 made under the heading “Shipbuilding and Conversion,
2 Navy” that is not closed at the time reimbursement is
3 made shall be available to reimburse the Judgment Fund
4 and shall be considered for the same purposes as any sub-
5 division under the heading “Shipbuilding and Conversion,
6 Navy” appropriations in the current fiscal year or any
7 prior fiscal year.

8 SEC. 8083. (a) None of the funds appropriated by
9 this Act may be used to transfer research and develop-
10 ment, acquisition, or other program authority relating to
11 current tactical unmanned aerial vehicles (TUAVs) from
12 the Army.

13 (b) The Army shall retain responsibility for and oper-
14 ational control of the MQ-1C Gray Eagle Unmanned Aer-
15 ial Vehicle (UAV) in order to support the Secretary of De-
16 fense in matters relating to the employment of unmanned
17 aerial vehicles.

18 SEC. 8084. Up to \$15,000,000 of the funds appro-
19 priated under the heading “Operation and Maintenance,
20 Navy” may be made available for the Asia Pacific Re-
21 gional Initiative Program for the purpose of enabling the
22 Pacific Command to execute Theater Security Cooperation
23 activities such as humanitarian assistance, and payment
24 of incremental and personnel costs of training and exer-
25 cising with foreign security forces: *Provided*, That funds

1 made available for this purpose may be used, notwith-
2 standing any other funding authorities for humanitarian
3 assistance, security assistance or combined exercise ex-
4 penses: *Provided further*, That funds may not be obligated
5 to provide assistance to any foreign country that is other-
6 wise prohibited from receiving such type of assistance
7 under any other provision of law.

8 SEC. 8085. None of the funds appropriated by this
9 Act for programs of the Office of the Director of National
10 Intelligence shall remain available for obligation beyond
11 the current fiscal year, except for funds appropriated for
12 research and technology, which shall remain available until
13 September 30, 2015.

14 SEC. 8086. For purposes of section 1553(b) of title
15 31, United States Code, any subdivision of appropriations
16 made in this Act under the heading “Shipbuilding and
17 Conversion, Navy” shall be considered to be for the same
18 purpose as any subdivision under the heading “Ship-
19 building and Conversion, Navy” appropriations in any
20 prior fiscal year, and the 1 percent limitation shall apply
21 to the total amount of the appropriation.

22 SEC. 8087. (a) Not later than 60 days after enact-
23 ment of this Act, the Director of National Intelligence
24 shall submit a report to the congressional intelligence com-
25 mittees to establish the baseline for application of re-

1 programming and transfer authorities for fiscal year
 2 2014: *Provided*, That the report shall include—

3 (1) a table for each appropriation with a sepa-
 4 rate column to display the President’s budget re-
 5 quest, adjustments made by Congress, adjustments
 6 due to enacted rescissions, if appropriate, and the
 7 fiscal year enacted level;

8 (2) a delineation in the table for each appro-
 9 priation by Expenditure Center and project; and

10 (3) an identification of items of special congres-
 11 sional interest.

12 (b) None of the funds provided for the National Intel-
 13 ligence Program in this Act shall be available for re-
 14 programming or transfer until the report identified in sub-
 15 section (a) is submitted to the congressional intelligence
 16 committees, unless the Director of National Intelligence
 17 certifies in writing to the congressional intelligence com-
 18 mittees that such reprogramming or transfer is necessary
 19 as an emergency requirement.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8088. Of the funds appropriated in the Intel-
 22 ligence Community Management Account for the Program
 23 Manager for the Information Sharing Environment,
 24 \$20,000,000 is available for transfer by the Director of
 25 National Intelligence to other departments and agencies

1 for purposes of Government-wide information sharing ac-
2 tivities: *Provided*, That funds transferred under this provi-
3 sion are to be merged with and available for the same pur-
4 poses and time period as the appropriation to which trans-
5 ferred: *Provided further*, That the Office of Management
6 and Budget must approve any transfers made under this
7 provision.

8 SEC. 8089. (a) None of the funds provided for the
9 National Intelligence Program in this or any prior appro-
10 priations Act shall be available for obligation or expendi-
11 ture through a reprogramming or transfer of funds in ac-
12 cordance with section 102A(d) of the National Security
13 Act of 1947 (50 U.S.C. 403–1(d)) that—

- 14 (1) creates a new start effort;
- 15 (2) terminates a program with appropriated
16 funding of \$10,000,000 or more;
- 17 (3) transfers funding into or out of the Na-
18 tional Intelligence Program; or
- 19 (4) transfers funding between appropriations,
20 unless the congressional intelligence committees are noti-
21 fied 30 days in advance of such reprogramming of funds;
22 this notification period may be reduced for urgent national
23 security requirements.

24 (b) None of the funds provided for the National Intel-
25 ligence Program in this or any prior appropriations Act

1 shall be available for obligation or expenditure through a
2 reprogramming or transfer of funds in accordance with
3 section 102A(d) or the National Security Act of 1947 (50
4 U.S.C. 403–1(d)) that results in a cumulative increase or
5 decrease of the levels specified in the classified annex ac-
6 companying the Act unless the congressional intelligence
7 committees are notified 30 days in advance of such re-
8 programming of funds; this notification period may be re-
9 duced for urgent national security requirements.

10 SEC. 8090. The Director of National Intelligence
11 shall submit to Congress each year, at or about the time
12 that the President’s budget is submitted to Congress that
13 year under section 1105(a) of title 31, United States
14 Code, a future-years intelligence program (including asso-
15 ciated annexes) reflecting the estimated expenditures and
16 proposed appropriations included in that budget. Any such
17 future-years intelligence program shall cover the fiscal
18 year with respect to which the budget is submitted and
19 at least the four succeeding fiscal years.

20 SEC. 8091. For the purposes of this Act, the term
21 “congressional intelligence committees” means the Perma-
22 nent Select Committee on Intelligence of the House of
23 Representatives, the Select Committee on Intelligence of
24 the Senate, the Subcommittee on Defense of the Com-
25 mittee on Appropriations of the House of Representatives,

1 and the Subcommittee on Defense of the Committee on
2 Appropriations of the Senate.

3 SEC. 8092. The Department of Defense shall con-
4 tinue to report incremental contingency operations costs
5 for Operation New Dawn and Operation Enduring Free-
6 dom on a monthly basis in the Cost of War Execution
7 Report as prescribed in the Department of Defense Finan-
8 cial Management Regulation Department of Defense In-
9 struction 7000.14, Volume 12, Chapter 23 “Contingency
10 Operations”, Annex 1, dated September 2005.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 8093. During the current fiscal year, not to ex-
13 ceed \$11,000,000 from each of the appropriations made
14 in title II of this Act for “Operation and Maintenance,
15 Army”, “Operation and Maintenance, Navy”, and “Oper-
16 ation and Maintenance, Air Force” may be transferred by
17 the military department concerned to its central fund es-
18 tablished for Fisher Houses and Suites pursuant to sec-
19 tion 2493(d) of title 10, United States Code.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8094. Funds appropriated by this Act for oper-
22 ation and maintenance may be available for the purpose
23 of making remittances to the Defense Acquisition Work-
24 force Development Fund in accordance with the require-
25 ments of section 1705 of title 10, United States Code.

1 SEC. 8095. (a) Any agency receiving funds made
2 available in this Act, shall, subject to subsections (b) and
3 (c), post on the public website of that agency any report
4 required to be submitted by the Congress in this or any
5 other Act, upon the determination by the head of the agen-
6 cy that it shall serve the national interest.

7 (b) Subsection (a) shall not apply to a report if—

8 (1) the public posting of the report com-
9 promises national security; or

10 (2) the report contains proprietary information.

11 (c) The head of the agency posting such report shall
12 do so only after such report has been made available to
13 the requesting Committee or Committees of Congress for
14 no less than 45 days.

15 SEC. 8096. (a) None of the funds appropriated or
16 otherwise made available by this Act may be expended for
17 any Federal contract for an amount in excess of
18 \$1,000,000, unless the contractor agrees not to—

19 (1) enter into any agreement with any of its
20 employees or independent contractors that requires,
21 as a condition of employment, that the employee or
22 independent contractor agree to resolve through ar-
23 bitration any claim under title VII of the Civil
24 Rights Act of 1964 or any tort related to or arising
25 out of sexual assault or harassment, including as-

1 sault and battery, intentional infliction of emotional
2 distress, false imprisonment, or negligent hiring, su-
3 pervision, or retention; or

4 (2) take any action to enforce any provision of
5 an existing agreement with an employee or inde-
6 pendent contractor that mandates that the employee
7 or independent contractor resolve through arbitra-
8 tion any claim under title VII of the Civil Rights Act
9 of 1964 or any tort related to or arising out of sex-
10 ual assault or harassment, including assault and
11 battery, intentional infliction of emotional distress,
12 false imprisonment, or negligent hiring, supervision,
13 or retention.

14 (b) None of the funds appropriated or otherwise
15 made available by this Act may be expended for any Fed-
16 eral contract unless the contractor certifies that it requires
17 each covered subcontractor to agree not to enter into, and
18 not to take any action to enforce any provision of, any
19 agreement as described in paragraphs (1) and (2) of sub-
20 section (a), with respect to any employee or independent
21 contractor performing work related to such subcontract.
22 For purposes of this subsection, a “covered subcon-
23 tractor” is an entity that has a subcontract in excess of
24 \$1,000,000 on a contract subject to subsection (a).

1 (c) The prohibitions in this section do not apply with
2 respect to a contractor's or subcontractor's agreements
3 with employees or independent contractors that may not
4 be enforced in a court of the United States.

5 (d) The Secretary of Defense may waive the applica-
6 tion of subsection (a) or (b) to a particular contractor or
7 subcontractor for the purposes of a particular contract or
8 subcontract if the Secretary or the Deputy Secretary per-
9 sonally determines that the waiver is necessary to avoid
10 harm to national security interests of the United States,
11 and that the term of the contract or subcontract is not
12 longer than necessary to avoid such harm. The determina-
13 tion shall set forth with specificity the grounds for the
14 waiver and for the contract or subcontract term selected,
15 and shall state any alternatives considered in lieu of a
16 waiver and the reasons each such alternative would not
17 avoid harm to national security interests of the United
18 States. The Secretary of Defense shall transmit to Con-
19 gress, and simultaneously make public, any determination
20 under this subsection not less than 15 business days be-
21 fore the contract or subcontract addressed in the deter-
22 mination may be awarded.

23 SEC. 8097. None of the funds made available in this
24 Act shall be used to transition elements of the 18th Ag-
25 gressor Squadron out of Eielson Air Force Base.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$143,087,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8099. (a) The Secretary of Defense shall submit annual reports to the Department of Defense Inspector

1 General regarding the costs and contracting procedures
2 related to each conference held by the Department of De-
3 fense during fiscal year 2014 for which the cost to the
4 United States Government was more than \$100,000.

5 (b) Each report submitted shall include, for each con-
6 ference described in subsection (a) held during the applica-
7 ble period—

8 (1) a description of its purpose;

9 (2) the number of participants attending;

10 (3) a detailed statement of the costs to the
11 United States Government, including—

12 (A) the cost of any food or beverages;

13 (B) the cost of any audio-visual services;

14 (C) the cost of employee or contractor
15 travel to and from the conference; and

16 (D) a discussion of the methodology used
17 to determine which costs relate to the con-
18 ference; and

19 (4) a description of the contracting procedures
20 used including—

21 (A) whether contracts were awarded on a
22 competitive basis; and

23 (B) a discussion of any cost comparison
24 conducted by the departmental component or

1 office in evaluating potential contractors for the
2 conference.

3 (c) Within 15 days of the date of a conference held
4 by the Department of Defense funded by this Act during
5 fiscal year 2014 for which the cost to the United States
6 Government was more than \$20,000, the Secretary of De-
7 fense shall notify the Department of Defense Inspector
8 General of the date, location, and number of employees
9 attending such conference.

10 (d) A grant or contract funded by amounts appro-
11 priated by this or any other appropriations Act to the De-
12 partment of Defense may not be used for the purpose of
13 defraying the costs of a conference described in subsection
14 (c) that is not directly and programmatically related to
15 the purpose for which the grant or contract was awarded,
16 such as a conference held in connection with planning,
17 training, assessment, review, or other routine purposes re-
18 lated to a project funded by the grant or contract.

19 (e) None of the funds made available in this Act may
20 be used for travel and conference activities that are not
21 in compliance with Office of Management and Budget
22 Memorandum M-12-12 dated May 11, 2012.

23 SEC. 8100. None of the funds appropriated or other-
24 wise made available by this Act may be obligated or ex-
25 pended to pay a retired general or flag officer to serve

1 as a senior mentor advising the Department of Defense
 2 unless such retired officer files a Standard Form 278 (or
 3 successor form concerning public financial disclosure
 4 under part 2634 of title 5, Code of Federal Regulations)
 5 to the Office of Government Ethics.

6 SEC. 8101. Appropriations available to the Depart-
 7 ment of Defense may be used for the purchase of heavy
 8 and light armored vehicles for the physical security of per-
 9 sonnel or for force protection purposes up to a limit of
 10 \$250,000 per vehicle, notwithstanding price or other limi-
 11 tations applicable to the purchase of passenger carrying
 12 vehicles.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8102. (a) Of the funds previously appropriated
 15 for the “Ship Modernization, Operations and Sustainment
 16 Fund”, \$2,098,000,000 is hereby rescinded;

17 (b) There is appropriated \$2,422,400,000 for the
 18 “Ship Modernization, Operations and Sustainment
 19 Fund”, to remain available until September 30, 2021:
 20 *Provided*, That the Secretary of the Navy shall transfer
 21 funds from the “Ship Modernization, Operations and
 22 Sustainment Fund” to appropriations for military per-
 23 sonnel; operation and maintenance; research, development,
 24 test and evaluation; and procurement, only for the pur-
 25 poses of manning, operating, sustaining, equipping and

1 modernizing the Ticonderoga-class guided missile cruisers
2 CG-63, CG-64, CG-65, CG-66, CG-68, CG-69, CG-73,
3 and the Whidbey Island-class dock landing ships LSD-
4 41 and LSD-46: *Provided further*, That funds transferred
5 shall be merged with and be available for the same pur-
6 poses and for the same time period as the appropriation
7 to which they are transferred: *Provided further*, That the
8 transfer authority provided herein shall be in addition to
9 any other transfer authority available to the Department
10 of Defense: *Provided further*, That the Secretary of the
11 Navy shall, not less than 30 days prior to making any
12 transfer from the “Ship Modernization, Operations and
13 Sustainment Fund”, notify the congressional defense com-
14 mittees in writing of the details of such transfer: *Provided*
15 *further*, That the Secretary of the Navy shall transfer and
16 obligate funds from the “Ship Modernization, Operations
17 and Sustainment Fund” for modernization of not less
18 than one Ticonderoga-class guided missile cruiser as de-
19 tailed above in fiscal year 2014.

20 SEC. 8103. None of the funds made available by this
21 Act to carry out voluntary military education programs
22 may be disbursed or delivered to an institution of higher
23 education (or other postsecondary educational institution)
24 on behalf of a student, or to a student to be used to attend
25 the institution, unless the institution certifies to the Sec-

1 retary of Defense that it will not use revenues derived
2 from educational assistance funds provided in any form
3 under any Federal law for advertising, marketing or stu-
4 dent recruitment activities (other than activities required
5 or specifically authorized by title IV of the HEA or other-
6 wise specified by the Secretary of Defense).

7 SEC. 8104. (a) PROHIBITION REGARDING VOL-
8 UNTARY MILITARY EDUCATION PROGRAM ASSISTANCE.—
9 None of the funds made available by this Act to carry out
10 voluntary military education programs may be disbursed
11 or delivered on behalf of a student to a proprietary institu-
12 tion of higher education (as defined in section 102(b) of
13 the Higher Education Act of 1965 (20 U.S.C. 1002(b))),
14 or to a student to be used to attend such institution, until
15 the institution demonstrates to the Secretary of Defense
16 that the institution derives not less than 10 percent of
17 such institution’s revenues from sources other than funds
18 provided under title IV of such Act (20 U.S.C. 1070 et
19 seq.) and funds provided under such voluntary military
20 education programs, as calculated in a manner to be deter-
21 mined by such Secretary and consistent with section
22 487(d)(1) of such Act.

23 (b) VOLUNTARY MILITARY EDUCATION PROGRAMS
24 DEFINED.—In this section, the term “voluntary military
25 education programs” means—

1 (1) the programs to assist military spouses in
2 achieving education and training for extended em-
3 ployment and portable career opportunities under
4 section 1784a of title 10, United States Code (com-
5 monly referred to as “MyCAA”); and

6 (2) the authority to pay tuition for off-duty
7 training or education of members of the Armed
8 Forces under section 2005 or 2007 of title 10,
9 United States Code.

10 SEC. 8105. (a) ESTABLISHMENT OF COMMISSION.—

11 (1) There is hereby established a commission to
12 be known as the “Commission on the Superintend-
13 ents of the Military Service Academies” (in this sec-
14 tion referred to as the “Commission”).

15 (2) The Commission shall be composed of the
16 following:

17 (A) The Under Secretary of Defense for
18 Personnel and Readiness.

19 (B) 3 members appointed by the Secretary
20 of Defense from among current or retired mem-
21 bers of the Armed Forces, of whom at least one
22 shall be a former superintendent of a military
23 service academy.

24 (C) 3 members appointed by the Secretary
25 of Defense from among civilian individuals, of

1 whom at least one shall be the president of an
2 institution of higher education.

3 (b) DUTIES.—The Commission shall conduct a com-
4 prehensive evaluation of the role of a modern super-
5 intendent of a military service academy, including the cri-
6 teria to be used in selecting and evaluating the perform-
7 ance of a superintendent of a military service academy.

8 (c) REPORT.—Not later than 6 months after the date
9 of the enactment of this Act, the Commission shall submit
10 to the Secretary of Defense, and to Congress, a report on
11 the activities of the Commission under this section.

12 (d) FUNDING.—In addition to amounts appropriated
13 or otherwise made available by this Act, \$2,000,000 shall
14 be available for the Commission.

15 SEC. 8106. Notwithstanding any other provision of
16 this Act, to reflect savings due to favorable foreign ex-
17 change rates, the total amount appropriated in this Act
18 is hereby reduced by \$242,000,000.

19 SEC. 8107. (a) None of the funds appropriated or
20 otherwise made available in this Act may be used to trans-
21 fer, release, or assist in the transfer or release to or within
22 the United States, its territories, or possessions Khalid
23 Sheikh Mohammed or any other detainee who—

24 (1) is not a United States citizen or a member
25 of the Armed Forces of the United States; and

1 (2) is or was held on or after June 24, 2009,
2 at the United States Naval Station, Guantánamo
3 Bay, Cuba, by the Department of Defense.

4 (b) This section shall continue in effect through the
5 date of enactment of an Act authorizing appropriations
6 for fiscal year 2014 for military activities of the Depart-
7 ment of Defense.

8 SEC. 8108. (a)(1) Except as provided in paragraph
9 (2) and subsection (d), none of the funds appropriated or
10 otherwise made available in this Act may be used to trans-
11 fer any individual detained at Guantánamo to the custody
12 or control of the individual's country of origin, any other
13 foreign country, or any other foreign entity unless the Sec-
14 retary of Defense submits to Congress the certification de-
15 scribed in subsection (b) not later than 30 days before
16 the transfer of the individual.

17 (2) Paragraph (1) shall not apply to any action taken
18 by the Secretary to transfer any individual detained at
19 Guantánamo to effectuate—

20 (A) an order affecting the disposition of the in-
21 dividual that is issued by a court or competent tri-
22 bunal of the United States having lawful jurisdiction
23 (which the Secretary shall notify Congress of
24 promptly after issuance); or

1 (B) a pre-trial agreement entered in a military
2 commission case prior to the date of the enactment
3 of this Act.

4 (b) A certification described in this subsection is a
5 written certification made by the Secretary of Defense,
6 with the concurrence of the Secretary of State and in con-
7 sultation with the Director of National Intelligence, that—

8 (1) the government of the foreign country or
9 the recognized leadership of the foreign entity to
10 which the individual detained at Guantánamo is to
11 be transferred—

12 (A) is not a designated state sponsor of
13 terrorism or a designated foreign terrorist orga-
14 nization;

15 (B) maintains control over each detention
16 facility in which the individual is to be detained
17 if the individual is to be housed in a detention
18 facility;

19 (C) is not, as of the date of the certifi-
20 cation, facing a threat that is likely to substan-
21 tially affect its ability to exercise control over
22 the individual;

23 (D) has taken or agreed to take effective
24 actions to ensure that the individual cannot

1 take action to threaten the United States, its
2 citizens, or its allies in the future;

3 (E) has taken or agreed to take such ac-
4 tions as the Secretary of Defense determines
5 are necessary to ensure that the individual can-
6 not engage or re-engage in any terrorist activ-
7 ity; and

8 (F) has agreed to share with the United
9 States any information that—

10 (i) is related to the individual or any
11 associates of the individual; and

12 (ii) could affect the security of the
13 United States, its citizens, or its allies; and

14 (2) includes an assessment, in classified or un-
15 classified form, of the capacity, willingness, and past
16 practices (if applicable) of the foreign country or en-
17 tity in relation to the Secretary's certifications.

18 (c)(1) Except as provided in paragraph (2) and sub-
19 section (d), none of the funds appropriated or otherwise
20 made available in this or any other Act may be used to
21 transfer any individual detained at Guantánamo to the
22 custody or control of the individual's country of origin, any
23 other foreign country, or any other foreign entity if there
24 is a confirmed case of any individual who was detained
25 at United States Naval Station, Guantánamo Bay, Cuba,

1 at any time after September 11, 2001, who was trans-
2 ferred to such foreign country or entity and subsequently
3 engaged in any terrorist activity.

4 (2) Paragraph (1) shall not apply to any action taken
5 by the Secretary to transfer any individual detained at
6 Guantánamo to effectuate—

7 (A) an order affecting the disposition of the in-
8 dividual that is issued by a court or competent tri-
9 bunal of the United States having lawful jurisdiction
10 (which the Secretary shall notify Congress of
11 promptly after issuance); or

12 (B) a pre-trial agreement entered in a military
13 commission case prior to the date of the enactment
14 of this Act.

15 (d)(1) The Secretary of Defense may waive the appli-
16 cability to a detainee transfer of a certification require-
17 ment specified in subparagraph (D) or (E) of subsection
18 (b)(1) or the prohibition in subsection (c), if the Secretary
19 certifies the rest of the criteria required by subsection (b)
20 for transfers prohibited by (c) and, with the concurrence
21 of the Secretary of State and in consultation with the Di-
22 rector of National Intelligence, determines that—

23 (A) alternative actions will be taken to address
24 the underlying purpose of the requirement or re-
25 quirements to be waived;

1 (B) in the case of a waiver of subparagraph (D)
2 or (E) of subsection (b)(1), it is not possible to cer-
3 tify that the risks addressed in the paragraph to be
4 waived have been completely eliminated, but the ac-
5 tions to be taken under subparagraph (A) will sub-
6 stantially mitigate such risks with regard to the indi-
7 vidual to be transferred;

8 (C) in the case of a waiver of subsection (c), the
9 Secretary has considered any confirmed case in
10 which an individual who was transferred to the
11 country subsequently engaged in terrorist activity,
12 and the actions to be taken under subparagraph (A)
13 will substantially mitigate the risk of recidivism with
14 regard to the individual to be transferred; and

15 (D) the transfer is in the national security in-
16 terests of the United States.

17 (2) Whenever the Secretary makes a determination
18 under paragraph (1), the Secretary shall submit to the ap-
19 propriate committees of Congress, not later than 30 days
20 before the transfer of the individual concerned, the fol-
21 lowing:

22 (A) A copy of the determination and the waiver
23 concerned.

24 (B) A statement of the basis for the determina-
25 tion, including—

1 (i) an explanation why the transfer is in
2 the national security interests of the United
3 States; and

4 (ii) in the case of a waiver of subparagraph
5 (D) or (E) of subsection (b)(1), an explanation
6 why it is not possible to certify that the risks
7 addressed in the subparagraph to be waived
8 have been completely eliminated.

9 (C) A summary of the alternative actions to be
10 taken to address the underlying purpose of, and to
11 mitigate the risks addressed in, the subparagraph or
12 subsection to be waived.

13 (D) The assessment required by subsection
14 (b)(2).

15 (e) In this section:

16 (1) The term “appropriate committees of Con-
17 gress” means—

18 (A) the Committee on Armed Services, the
19 Committee on Appropriations, and the Select
20 Committee on Intelligence of the Senate; and

21 (B) the Committee on Armed Services, the
22 Committee on Appropriations, and the Perma-
23 nent Select Committee on Intelligence of the
24 House of Representatives.

1 (2) The term “individual detained at
2 Guantánamo” means any individual located at
3 United States Naval Station, Guantánamo Bay,
4 Cuba, as of October 1, 2009, who—

5 (A) is not a citizen of the United States or
6 a member of the Armed Forces of the United
7 States; and

8 (B) is—

9 (i) in the custody or under the control
10 of the Department of Defense; or

11 (ii) otherwise under detention at
12 United States Naval Station, Guantánamo
13 Bay, Cuba.

14 (3) The term “foreign terrorist organization”
15 means any organization so designated by the Sec-
16 retary of State under section 219 of the Immigra-
17 tion and Nationality Act (8 U.S.C. 1189).

18 (f) This section shall continue in effect through the
19 date of enactment of an Act authorizing appropriations
20 for fiscal year 2014 for military activities of the Depart-
21 ment of Defense.

22 SEC. 8109. (a) None of the funds appropriated or
23 otherwise made available in this Act may be used to con-
24 struct, acquire, or modify any facility in the United States,
25 its territories, or possessions to house any individual de-

1 scribed in subsection (c) for the purposes of detention or
2 imprisonment in the custody or under the effective control
3 of the Department of Defense.

4 (b) The prohibition in subsection (a) shall not apply
5 to any modification of facilities at United States Naval
6 Station, Guantánamo Bay, Cuba.

7 (c) An individual described in this subsection is any
8 individual who, as of June 24, 2009, is located at United
9 States Naval Station, Guantánamo Bay, Cuba, and who—

10 (1) is not a citizen of the United States or a
11 member of the Armed Forces of the United States;
12 and

13 (2) is—

14 (A) in the custody or under the effective
15 control of the Department of Defense; or

16 (B) otherwise under detention at United
17 States Naval Station, Guantánamo Bay, Cuba.

18 (d) This section shall continue in effect through the
19 date of enactment of an Act authorizing appropriations
20 for fiscal year 2014 for military activities of the Depart-
21 ment of Defense.

22 SEC. 8110. None of the funds made available by this
23 Act may be used to enter into a contract, memorandum
24 of understanding, or cooperative agreement with, make a
25 grant to, or provide a loan or loan guarantee to, any cor-

1 poration that any unpaid Federal tax liability that has
2 been assessed, for which all judicial and administrative
3 remedies have been exhausted or have lapsed, and that
4 is not being paid in a timely manner pursuant to an agree-
5 ment with the authority responsible for collecting the tax
6 liability, where the awarding agency is aware of the unpaid
7 tax liability, unless the agency has considered suspension
8 or debarment of the corporation and made a determination
9 that this further action is not necessary to protect the in-
10 terests of the Government.

11 SEC. 8111. None of the funds made available by this
12 Act may be used to enter into a contract, memorandum
13 of understanding, or cooperative agreement with, make a
14 grant to, or provide a loan or loan guarantee to, any cor-
15 poration that was convicted of a felony criminal violation
16 under any Federal law within the preceding 24 months,
17 where the awarding agency is aware of the conviction, un-
18 less the agency has considered suspension or debarment
19 of the corporation and made a determination that this fur-
20 ther action is not necessary to protect the interests of the
21 Government.

22 SEC. 8112. The Secretary of the Air Force shall obli-
23 gate and expend funds previously appropriated for the
24 procurement of RQ-4B Global Hawk aircraft for the pur-
25 poses for which such funds were originally appropriated.

1 SEC. 8113. None of the funds made available by this
2 Act for the Department of Defense may be used to enter
3 into a contract, memorandum of understanding, or cooper-
4 ative agreement with, make a grant to, or provide a loan
5 or loan guarantee to Rosoboronexport: *Provided*, That the
6 Secretary of Defense may waive this restriction on a case-
7 by-case basis by certifying in writing to the Committees
8 on Appropriations of the House of Representatives and the
9 Senate that it is in the national security interest to do
10 so.

11 SEC. 8114. None of the funds appropriated in this
12 Act may be obligated or expended by the United States
13 Government for the direct personal benefit of the Presi-
14 dent of Afghanistan.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8115. In addition to amounts appropriated or
17 otherwise made available elsewhere in this Act,
18 \$25,000,000 is hereby appropriated to the Department of
19 Defense and made available for transfer to the Army, Air
20 Force, Navy, and Marine Corps, for purposes of imple-
21 mentation of a Sexual Assault Special Victims Program:
22 *Provided*, That funds transferred under this provision are
23 to be merged with and available for the same purposes
24 and time period as the appropriation to which transferred:
25 *Provided further*, That the transfer authority provided

1 under this heading is in addition to any other transfer au-
2 thority provided elsewhere in this Act.

3 SEC. 8116. Funds appropriated by this Act and un-
4 obligated balances from prior Acts making appropriations
5 for the Department of Defense that are available for as-
6 sistance for the Government of Afghanistan shall be re-
7 duced by \$5 for every \$1 that the Government of Afghani-
8 stan imposes in taxes, duties, penalties, or other fees on
9 the transport of property of the United States Government
10 (including the United States Armed Forces), entering or
11 leaving Afghanistan.

12 SEC. 8117. (a) Of the funds appropriated in this Act
13 for the Department of Defense, amounts may be made
14 available, under such regulations as the Secretary may
15 prescribe, to local military commanders appointed by the
16 Secretary of Defense, or by an officer or employee des-
17 ignated by the Secretary, to provide at their discretion ex
18 gratia payments in amounts consistent with subsection (d)
19 of this section for damage, personal injury, or death that
20 is incident to combat operations of the Armed Forces in
21 a foreign country.

22 (b) An ex gratia payment under this section may be
23 provided only if—

1 (1) the prospective foreign civilian recipient is
2 determined by the local military commander to be
3 friendly to the United States;

4 (2) a claim for damages would not be compen-
5 sable under chapter 163 of title 10, United States
6 Code (commonly known as the “Foreign Claims
7 Act”); and

8 (3) the property damage, personal injury, or
9 death was not caused by action by an enemy.

10 (c) NATURE OF PAYMENTS.—Any payments provided
11 under a program under subsection (a) shall not be consid-
12 ered an admission or acknowledgement of any legal obliga-
13 tion to compensate for any damage, personal injury, or
14 death.

15 (d) AMOUNT OF PAYMENTS.—If the Secretary of De-
16 fense determines a program under subsection (a) to be ap-
17 propriate in a particular setting, the amounts of pay-
18 ments, if any, to be provided to civilians determined to
19 have suffered harm incident to combat operations of the
20 Armed Forces under the program should be determined
21 pursuant to regulations prescribed by the Secretary and
22 based on an assessment, which should include such factors
23 as cultural appropriateness and prevailing economic condi-
24 tions.

1 (e) LEGAL ADVICE.—Local military commanders
2 shall receive legal advice before making ex gratia pay-
3 ments under this subsection. The legal advisor, under reg-
4 ulations of the Department of Defense, shall advise on
5 whether an ex gratia payment is proper under this section
6 and applicable Department of Defense regulations.

7 (f) WRITTEN RECORD.—A written record of any ex
8 gratia payment offered or denied shall be kept by the local
9 commander and on a timely basis submitted to the appro-
10 priate office in the Department of Defense as determined
11 by the Secretary of Defense.

12 (g) REPORT.—The Secretary of Defense shall report
13 to the congressional defense committees on an annual
14 basis the efficacy of the ex gratia payment program in-
15 cluding the number of types of cases considered, amounts
16 offered, the response from ex gratia payment recipients,
17 and any recommended modifications to the program.

18 (h) LIMITATION.—Nothing in this section shall be
19 deemed to provide any new authority to the Secretary of
20 Defense.

21 SEC. 8118. None of the funds available to the De-
22 partment of Defense shall be used to conduct any environ-
23 mental impact analysis related to Minuteman III silos that
24 contain a missile as of the date of the enactment of this
25 Act.

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL, ARMY

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel,
Navy”, \$558,344,000: *Provided*, That such amount is des-
ignated by the Congress for Overseas Contingency Oper-

1 ations/Global War on Terrorism pursuant to section
2 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 MILITARY PERSONNEL, MARINE CORPS

5 For an additional amount for “Military Personnel,
6 Marine Corps”, \$1,019,322,000: *Provided*, That such
7 amount is designated by the Congress for Overseas Con-
8 tingency Operations/Global War on Terrorism pursuant to
9 section 251(b)(2)(A)(ii) of the Balanced Budget and
10 Emergency Deficit Control Act of 1985.

11 MILITARY PERSONNEL, AIR FORCE

12 For an additional amount for “Military Personnel,
13 Air Force”, \$867,087,000: *Provided*, That such amount
14 is designated by the Congress for Overseas Contingency
15 Operations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 RESERVE PERSONNEL, ARMY

19 For an additional amount for “Reserve Personnel,
20 Army”, \$40,952,000: *Provided*, That such amount is des-
21 ignated by the Congress for Overseas Contingency Oper-
22 ations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 RESERVE PERSONNEL, NAVY

2 For an additional amount for “Reserve Personnel,
3 Navy”, \$20,238,000: *Provided*, That such amount is des-
4 ignated by the Congress for Overseas Contingency Oper-
5 ations/Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 RESERVE PERSONNEL, MARINE CORPS

9 For an additional amount for “Reserve Personnel,
10 Marine Corps”, \$15,134,000: *Provided*, That such amount
11 is designated by the Congress for Overseas Contingency
12 Operations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 RESERVE PERSONNEL, AIR FORCE

16 For an additional amount for “Reserve Personnel,
17 Air Force”\$20,432,000: *Provided*, That such amount is
18 designated by the Congress for Overseas Contingency Op-
19 erations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 NATIONAL GUARD PERSONNEL, ARMY

23 For an additional amount for “National Guard Per-
24 sonnel, Army”, \$393,364,000: *Provided*, That such
25 amount is designated by the Congress for Overseas Con-

1 tingency Operations/Global War on Terrorism pursuant to
 2 section 251(b)(2)(A)(ii) of the Balanced Budget and
 3 Emergency Deficit Control Act of 1985.

4 NATIONAL GUARD PERSONNEL, AIR FORCE

5 For an additional amount for “National Guard Per-
 6 sonnel, Air Force”, \$6,919,000: *Provided*, That such
 7 amount is designated by the Congress for Overseas Con-
 8 tingency Operations/Global War on Terrorism pursuant to
 9 section 251(b)(2)(A)(ii) of the Balanced Budget and
 10 Emergency Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE

12 OPERATION AND MAINTENANCE, ARMY

13 For an additional amount for “Operation and Main-
 14 tenance, Army”, \$28,663,919,000: *Provided*, That such
 15 amount is designated by the Congress for Overseas Con-
 16 tingency Operations/Global War on Terrorism pursuant to
 17 section 251(b)(2)(A)(ii) of the Balanced Budget and
 18 Emergency Deficit Control Act of 1985.

19 OPERATION AND MAINTENANCE, NAVY

20 For an additional amount for “Operation and Main-
 21 tenance, Navy”, \$5,329,960,000: *Provided*, That such
 22 amount is designated by the Congress for Overseas Con-
 23 tingency Operations/Global War on Terrorism pursuant to
 24 section 251(b)(2)(A)(ii) of the Balanced Budget and
 25 Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 For an additional amount for “Operation and Main-
 3 tenance, Marine Corps”, \$2,603,329,000: *Provided*, That
 4 such amount is designated by the Congress for Overseas
 5 Contingency Operations/Global War on Terrorism pursu-
 6 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
 7 and Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE, AIR FORCE

9 For an additional amount for “Operation and Main-
 10 tenance, Air Force”, \$9,964,224,000: *Provided*, That such
 11 amount is designated by the Congress for Overseas Con-
 12 tingency Operations/Global War on Terrorism pursuant to
 13 section 251(b)(2)(A)(ii) of the Balanced Budget and
 14 Emergency Deficit Control Act of 1985.

15 OPERATION AND MAINTENANCE, DEFENSE-WIDE

16 For an additional amount for “Operation and Main-
 17 tenance, Defense-Wide”, \$6,435,078,000: *Provided*, That
 18 of the funds provided under this heading, not to exceed
 19 \$1,500,000,000, to remain available until September 30,
 20 2015, shall be for payments to reimburse key cooperating
 21 nations for logistical, military, and other support, includ-
 22 ing access, provided to United States military operations
 23 in support of Operation Enduring Freedom: *Provided fur-*
 24 *ther*, That these funds may be used to reimburse the gov-
 25 ernment of Jordan, in such amounts as the Secretary of

1 Defense may determine, to maintain the ability of the Jor-
2 danian armed forces to maintain security along the border
3 between Jordan and Syria, upon 15 day prior written noti-
4 fication to the congressional defense committees outlining
5 the amounts reimbursed and the nature of the expenses
6 to be reimbursed and that these funds may be used in
7 accordance with section 1205 of S. 1197, an Act author-
8 izing appropriations for fiscal year 2014 for military ac-
9 tivities of the Department of Defense, as reported: *Pro-*
10 *vided further*, That such reimbursement payments may be
11 made in such amounts as the Secretary of Defense, with
12 the concurrence of the Secretary of State, and in consulta-
13 tion with the Director of the Office of Management and
14 Budget, may determine, at the discretion of the Secretary
15 of Defense, based on documentation determined by the
16 Secretary of Defense to adequately account for the sup-
17 port provided, and such determination is final and conclu-
18 sive upon the accounting officers of the United States, and
19 15 days following notification to the appropriate congres-
20 sional committees: *Provided further*, That the requirement
21 under this heading to provide notification to the appro-
22 priate congressional committees shall not apply with re-
23 spect to a reimbursement for access based on an inter-
24 national agreement: *Provided further*, That these funds
25 may be used for the purpose of providing specialized train-

1 ing and procuring supplies and specialized equipment and
 2 providing such supplies and loaning such equipment on a
 3 non-reimbursable basis to coalition forces supporting
 4 United States military operations in Afghanistan, and 15
 5 days following notification to the appropriate congres-
 6 sional committees: *Provided further*, That the Secretary of
 7 Defense shall provide quarterly reports to the congres-
 8 sional defense committees on the use of funds provided
 9 in this paragraph: *Provided further*, That such amount is
 10 designated by the Congress for Overseas Contingency Op-
 11 erations/Global War on Terrorism pursuant to section
 12 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
 13 Deficit Control Act of 1985.

14 OPERATION AND MAINTENANCE, ARMY RESERVE

15 For an additional amount for “Operation and Main-
 16 tenance, Army Reserve”, \$42,935,000: *Provided*, That
 17 such amount is designated by the Congress for Overseas
 18 Contingency Operations/Global War on Terrorism pursu-
 19 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
 20 and Emergency Deficit Control Act of 1985.

21 OPERATION AND MAINTENANCE, NAVY RESERVE

22 For an additional amount for “Operation and Main-
 23 tenance, Navy Reserve”, \$55,700,000: *Provided*, That
 24 such amount is designated by the Congress for Overseas
 25 Contingency Operations/Global War on Terrorism pursu-

1 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985.

3 OPERATION AND MAINTENANCE, MARINE CORPS
4 RESERVE

5 For an additional amount for “Operation and Main-
6 tenance, Marine Corps Reserve”, \$12,534,000: *Provided*,
7 That such amount is designated by the Congress for Over-
8 seas Contingency Operations/Global War on Terrorism
9 pursuant to section 251(b)(2)(A)(ii) of the Balanced
10 Budget and Emergency Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

12 For an additional amount for “Operation and Main-
13 tenance, Air Force Reserve”, \$32,849,000: *Provided*, That
14 such amount is designated by the Congress for Overseas
15 Contingency Operations/Global War on Terrorism pursu-
16 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
17 and Emergency Deficit Control Act of 1985.

18 OPERATION AND MAINTENANCE, ARMY NATIONAL
19 GUARD

20 For an additional amount for “Operation and Main-
21 tenance, Army National Guard”, \$199,371,000: *Provided*,
22 That such amount is designated by the Congress for Over-
23 seas Contingency Operations/Global War on Terrorism
24 pursuant to section 251(b)(2)(A)(ii) of the Balanced
25 Budget and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

2 For an additional amount for “Operation and Main-
 3 tenance, Air National Guard”, \$22,200,000: *Provided*,
 4 That such amount is designated by the Congress for Over-
 5 seas Contingency Operations/Global War on Terrorism
 6 pursuant to section 251(b)(2)(A)(ii) of the Balanced
 7 Budget and Emergency Deficit Control Act of 1985.

8 AFGHANISTAN INFRASTRUCTURE FUND

9 (INCLUDING TRANSFER OF FUNDS)

10 For the “Afghanistan Infrastructure Fund”,
 11 \$279,000,000, to remain available until September 30,
 12 2015: *Provided*, That such sums shall be available to the
 13 Secretary of Defense for infrastructure projects in Af-
 14 ghanistan, notwithstanding any other provision of law,
 15 which shall be undertaken by the Secretary of State, un-
 16 less the Secretary of State and the Secretary of Defense
 17 jointly decide that a specific project will be undertaken
 18 by the Department of Defense: *Provided further*, That the
 19 infrastructure referred to in the preceding proviso is in
 20 support of the counterinsurgency strategy, which may re-
 21 quire funding for facility and infrastructure projects, in-
 22 cluding, but not limited to, water, power, and transpor-
 23 tation projects and related maintenance and sustainment
 24 costs: *Provided further*, That the authority to undertake
 25 such infrastructure projects is in addition to any other au-

1 thority to provide assistance to foreign nations: *Provided*
2 *further*, That any projects funded under this heading shall
3 be jointly formulated and concurred in by the Secretary
4 of State and Secretary of Defense: *Provided further*, That
5 funds may be transferred to the Department of State for
6 purposes of undertaking projects, which funds shall be
7 considered to be economic assistance under the Foreign
8 Assistance Act of 1961 for purposes of making available
9 the administrative authorities contained in that Act: *Pro-*
10 *vided further*, That the transfer authority in the preceding
11 proviso is in addition to any other authority available to
12 the Department of Defense to transfer funds: *Provided*
13 *further*, That any unexpended funds transferred to the
14 Secretary of State under this authority shall be returned
15 to the Afghanistan Infrastructure Fund if the Secretary
16 of State, in coordination with the Secretary of Defense,
17 determines that the project cannot be implemented for any
18 reason, or that the project no longer supports the counter-
19 insurgency strategy in Afghanistan: *Provided further*, That
20 any funds returned to the Secretary of Defense under the
21 previous proviso shall be available for use under this ap-
22 propriation and shall be treated in the same manner as
23 funds not transferred to the Secretary of State: *Provided*
24 *further*, That contributions of funds for the purposes pro-
25 vided herein to the Secretary of State in accordance with

1 section 635(d) of the Foreign Assistance Act from any
 2 person, foreign government, or international organization
 3 may be credited to this Fund, to remain available until
 4 expended, and used for such purposes: *Provided further*,
 5 That the Secretary of Defense shall, not fewer than 15
 6 days prior to making transfers to or from, or obligations
 7 from the Fund, notify the appropriate committees of Con-
 8 gress in writing of the details of any such transfer: *Pro-*
 9 *vided further*, That the “appropriate committees of Con-
 10 gress” are the Committees on Armed Services, Foreign
 11 Relations and Appropriations of the Senate and the Com-
 12 mittees on Armed Services, Foreign Affairs and Appro-
 13 priations of the House of Representatives: *Provided fur-*
 14 *ther*, That such amount is designated by the Congress for
 15 Overseas Contingency Operations/Global War on Ter-
 16 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
 17 anced Budget and Emergency Deficit Control Act of 1985.

18 AFGHANISTAN SECURITY FORCES FUND

19 For the “Afghanistan Security Forces Fund”,
 20 \$6,944,920,000, to remain available until September 30,
 21 2015: *Provided*, That such funds shall be available to the
 22 Secretary of Defense, notwithstanding any other provision
 23 of law, for the purpose of allowing the Commander, Com-
 24 bined Security Transition Command—Afghanistan, or the
 25 Secretary’s designee, to provide assistance, with the con-

1 currence of the Secretary of State, to the security forces
2 of Afghanistan, including the provision of equipment, sup-
3 plies, services, training, facility and infrastructure repair,
4 renovation, and construction, and funding: *Provided fur-*
5 *ther*, That the authority to provide assistance under this
6 heading is in addition to any other authority to provide
7 assistance to foreign nations: *Provided further*, That con-
8 tributions of funds for the purposes provided herein from
9 any person, foreign government, or international organiza-
10 tion may be credited to this Fund, to remain available
11 until expended, and used for such purposes: *Provided fur-*
12 *ther*, That the Secretary of Defense shall notify the con-
13 gressional defense committees in writing upon the receipt
14 and upon the obligation of any contribution, delineating
15 the sources and amounts of the funds received and the
16 specific use of such contributions: *Provided further*, That
17 the Secretary of Defense shall, not fewer than 15 days
18 prior to obligating from this appropriation account, notify
19 the congressional defense committees in writing of the de-
20 tails of any such obligation: *Provided further*, That the
21 Secretary of Defense shall notify the congressional defense
22 committees of any proposed new projects or transfer of
23 funds between budget sub-activity groups in excess of
24 \$20,000,000: *Provided further*, That the United States
25 may accept equipment procured using funds provided

1 under this heading in this or prior Acts that was trans-
 2 ferred to the security forces of Afghanistan and returned
 3 by such forces to the United States: *Provided further*, That
 4 the equipment described in the previous proviso, as well
 5 as equipment not yet transferred to the security forces of
 6 Afghanistan when determined by the Commander, Com-
 7 bined Security Transition Command—Afghanistan, or the
 8 Secretary’s designee, to no longer be required for transfer
 9 to such forces, may be treated as stocks of the Department
 10 of Defense upon written notification to the congressional
 11 defense committees: *Provided further*, That of the funds
 12 provided under this heading, not less than \$15,000,000
 13 shall be for recruitment and retention of women in the
 14 Afghanistan National Security Forces: *Provided further*,
 15 That such amount is designated by the Congress for Over-
 16 seas Contingency Operations/Global War on Terrorism
 17 pursuant to section 251(b)(2)(A)(ii) of the Balanced
 18 Budget and Emergency Deficit Control Act of 1985.

19 PROCUREMENT

20 AIRCRAFT PROCUREMENT, ARMY

21 For an additional amount for “Aircraft Procurement,
 22 Army”, \$633,300,000, to remain available until Sep-
 23 tember 30, 2016: *Provided*, That such amount is des-
 24 ignated by the Congress for Overseas Contingency Oper-
 25 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
 2 Deficit Control Act of 1985.

3 MISSILE PROCUREMENT, ARMY

4 For an additional amount for “Missile Procurement,
 5 Army”, \$128,645,000, to remain available until Sep-
 6 tember 30, 2016: *Provided*, That such amount is des-
 7 ignated by the Congress for Overseas Contingency Oper-
 8 ations/Global War on Terrorism pursuant to section
 9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
 10 Deficit Control Act of 1985.

11 PROCUREMENT OF AMMUNITION, ARMY

12 For an additional amount for “Procurement of Am-
 13 munition, Army”, \$190,900,000, to remain available until
 14 September 30, 2016: *Provided*, That such amount is des-
 15 ignated by the Congress for Overseas Contingency Oper-
 16 ations/Global War on Terrorism pursuant to section
 17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
 18 Deficit Control Act of 1985.

19 OTHER PROCUREMENT, ARMY

20 For an additional amount for “Other Procurement,
 21 Army”, \$603,902,000, to remain available until Sep-
 22 tember 30, 2016: *Provided*, That such amount is des-
 23 ignated by the Congress for Overseas Contingency Oper-
 24 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 AIRCRAFT PROCUREMENT, NAVY

4 For an additional amount for “Aircraft Procurement,
5 Navy”, \$211,176,000, to remain available until September
6 30, 2016: *Provided*, That such amount is designated by
7 the Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985.

11 WEAPONS PROCUREMENT, NAVY

12 For an additional amount for “Weapons Procure-
13 ment, Navy”, \$86,500,000, to remain available until Sep-
14 tember 30, 2016: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
20 CORPS

21 For an additional amount for “Procurement of Am-
22 munition, Navy and Marine Corps”, \$206,821,000, to re-
23 main available until September 30, 2016: *Provided*, That
24 such amount is designated by the Congress for Overseas
25 Contingency Operations/Global War on Terrorism pursu-

1 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985.

3 OTHER PROCUREMENT, NAVY

4 For an additional amount for “Other Procurement,
5 Navy”, \$17,968,000, to remain available until September
6 30, 2016: *Provided*, That such amount is designated by
7 the Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985.

11 PROCUREMENT, MARINE CORPS

12 For an additional amount for “Procurement, Marine
13 Corps”, \$126,686,000, to remain available until Sep-
14 tember 30, 2016: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 AIRCRAFT PROCUREMENT, AIR FORCE

20 For an additional amount for “Aircraft Procurement,
21 Air Force”, \$115,668,000, to remain available until Sep-
22 tember 30, 2016: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 MISSILE PROCUREMENT, AIR FORCE

4 For an additional amount for “Missile Procurement,
5 Air Force”, \$24,200,000, to remain available until Sep-
6 tember 30, 2016: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 PROCUREMENT OF AMMUNITION, AIR FORCE

12 For an additional amount for “Procurement of Am-
13 munition, Air Force”, \$159,965,000, to remain available
14 until September 30, 2016: *Provided*, That such amount
15 is designated by the Congress for Overseas Contingency
16 Operations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 OTHER PROCUREMENT, AIR FORCE

20 For an additional amount for “Other Procurement,
21 Air Force”, \$2,554,596,000, to remain available until
22 September 30, 2016: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
 2 Deficit Control Act of 1985.

3 PROCUREMENT, DEFENSE-WIDE

4 For an additional amount for “Procurement, De-
 5 fense-Wide”, \$111,275,000, to remain available until Sep-
 6 tember 30, 2016: *Provided*, That such amount is des-
 7 ignated by the Congress for Overseas Contingency Oper-
 8 ations/Global War on Terrorism pursuant to section
 9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
 10 Deficit Control Act of 1985.

11 RESEARCH, DEVELOPMENT, TEST AND
 12 EVALUATION

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 14 ARMY

15 For an additional amount for “Research, Develop-
 16 ment, Test and Evaluation, Army”, \$13,500,000, to re-
 17 main available until September 30, 2015: *Provided*, That
 18 such amount is designated by the Congress for Overseas
 19 Contingency Operations/Global War on Terrorism pursu-
 20 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
 21 and Emergency Deficit Control Act of 1985.

22 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 23 AIR FORCE

24 For an additional amount for “Research, Develop-
 25 ment, Test and Evaluation, Air Force”, \$9,000,000, to re-

1 main available until September 30, 2015: *Provided*, That
2 such amount is designated by the Congress for Overseas
3 Contingency Operations/Global War on Terrorism pursu-
4 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
5 and Emergency Deficit Control Act of 1985.

6 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
7 DEFENSE-WIDE

8 For an additional amount for “Research, Develop-
9 ment, Test and Evaluation, Defense-Wide”, \$66,208,000,
10 to remain available until September 30, 2015: *Provided*,
11 That such amount is designated by the Congress for Over-
12 seas Contingency Operations/Global War on Terrorism
13 pursuant to section 251(b)(2)(A)(ii) of the Balanced
14 Budget and Emergency Deficit Control Act of 1985.

15 REVOLVING AND MANAGEMENT FUNDS

16 DEFENSE WORKING CAPITAL FUNDS

17 For an additional amount for “Defense Working
18 Capital Funds”, \$264,910,000: *Provided*, That such
19 amount is designated by the Congress for Overseas Con-
20 tingency Operations/Global War on Terrorism pursuant to
21 section 251(b)(2)(A)(ii) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985.

1 OTHER DEPARTMENT OF DEFENSE PROGRAMS

2 DEFENSE HEALTH PROGRAM

3 For an additional amount for “Defense Health Pro-
4 gram”, \$898,701,000, which shall be for operation and
5 maintenance: *Provided*, That such amount is designated
6 by the Congress for Overseas Contingency Operations/
7 Global War on Terrorism pursuant to section
8 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985.

10 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
11 DEFENSE

12 For an additional amount for “Drug Interdiction and
13 Counter-Drug Activities, Defense”, \$376,305,000, to re-
14 main available until September 30, 2015: *Provided*, That
15 such amount is designated by the Congress for Overseas
16 Contingency Operations/Global War on Terrorism pursu-
17 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
18 and Emergency Deficit Control Act of 1985.

19 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND
20 (INCLUDING TRANSFER OF FUNDS)

21 For the “Joint Improvised Explosive Device Defeat
22 Fund”, \$871,725,000, to remain available until Sep-
23 tember 30, 2016: *Provided*, That such funds shall be avail-
24 able to the Secretary of Defense, notwithstanding any
25 other provision of law, for the purpose of allowing the Di-

1 rector of the Joint Improvised Explosive Device Defeat
2 Organization to investigate, develop and provide equip-
3 ment, supplies, services, training, facilities, personnel and
4 funds to assist United States forces in the defeat of impro-
5 vised explosive devices: *Provided further*, That the Sec-
6 retary of Defense may transfer funds provided herein to
7 appropriations for military personnel; operation and main-
8 tenance; procurement; research, development, test and
9 evaluation; and defense working capital funds to accom-
10 plish the purpose provided herein: *Provided further*, That
11 this transfer authority is in addition to any other transfer
12 authority available to the Department of Defense: *Pro-*
13 *vided further*, That the Secretary of Defense shall, not
14 fewer than 15 days prior to making transfers from this
15 appropriation, notify the congressional defense committees
16 in writing of the details of any such transfer: *Provided*
17 *further*, That such amount is designated by the Congress
18 for Overseas Contingency Operations/Global War on Ter-
19 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985.

21 OFFICE OF THE INSPECTOR GENERAL

22 For an additional amount for the “Office of the In-
23 spector General”, \$10,766,000: *Provided*, That such
24 amount is designated by the Congress for Overseas Con-
25 tingency Operations/Global War on Terrorism pursuant to

1 section 251(b)(2)(A)(ii) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985.

3 GENERAL PROVISIONS—THIS TITLE

4 SEC. 9001. Notwithstanding any other provision of
5 law, funds made available in this title are in addition to
6 amounts appropriated or otherwise made available for the
7 Department of Defense for fiscal year 2014.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 9002. Upon the determination of the Secretary
10 of Defense that such action is necessary in the national
11 interest, the Secretary may, with the approval of the Of-
12 fice of Management and Budget, transfer up to
13 \$4,000,000,000 between the appropriations or funds made
14 available to the Department of Defense in this title: *Pro-*
15 *vided*, That the Secretary shall notify the Congress
16 promptly of each transfer made pursuant to the authority
17 in this section: *Provided further*, That the authority pro-
18 vided in this section is in addition to any other transfer
19 authority available to the Department of Defense and is
20 subject to the same terms and conditions as the authority
21 provided in the Department of Defense Appropriations
22 Act, 2014.

23 SEC. 9003. Supervision and administration costs as-
24 sociated with a construction project funded with appro-
25 priations available for operation and maintenance, “Af-

1 ghanistan Infrastructure Fund”, or the “Afghanistan Se-
2 curity Forces Fund” provided in this Act and executed
3 in direct support of overseas contingency operations in Af-
4 ghanistan, may be obligated at the time a construction
5 contract is awarded: *Provided*, That for the purpose of this
6 section, supervision and administration costs include all
7 in-house Government costs.

8 SEC. 9004. From funds made available in this title,
9 the Secretary of Defense may purchase for use by military
10 and civilian employees of the Department of Defense in
11 the U.S. Central Command area of responsibility: (a) pas-
12 senger motor vehicles up to a limit of \$75,000 per vehicle;
13 and (b) heavy and light armored vehicles for the physical
14 security of personnel or for force protection purposes up
15 to a limit of \$250,000 per vehicle, notwithstanding price
16 or other limitations applicable to the purchase of pas-
17 senger carrying vehicles.

18 SEC. 9005. Not to exceed \$50,000,000 of the amount
19 appropriated in this title under the heading “Operation
20 and Maintenance, Army” may be used, notwithstanding
21 any other provision of law, to fund the Commander’s
22 Emergency Response Program (CERP), for the purpose
23 of enabling military commanders in Afghanistan to re-
24 spond to urgent, small-scale, humanitarian relief and re-
25 construction requirements within their areas of responsi-

1 bility: *Provided*, That each project (including any ancillary
2 or related elements in connection with such project) exe-
3 cuted under this authority shall not exceed \$20,000,000:
4 *Provided further*, That not later than 45 days after the
5 end of each fiscal year quarter, the Secretary of Defense
6 shall submit to the congressional defense committees a re-
7 port regarding the source of funds and the allocation and
8 use of funds during that quarter that were made available
9 pursuant to the authority provided in this section or under
10 any other provision of law for the purposes described here-
11 in: *Provided further*, That, not later than 30 days after
12 the end of each month, the Army shall submit to the con-
13 gressional defense committees monthly commitment, obli-
14 gation, and expenditure data for the Commander's Emer-
15 gency Response Program in Afghanistan: *Provided further*,
16 That not less than 15 days before making funds available
17 pursuant to the authority provided in this section or under
18 any other provision of law for the purposes described here-
19 in for a project with a total anticipated cost for completion
20 of \$5,000,000 or more, the Secretary shall submit to the
21 congressional defense committees a written notice con-
22 taining each of the following:

23 (1) The location, nature and purpose of the
24 proposed project, including how the project is in-

1 tended to advance the military campaign plan for
2 the country in which it is to be carried out.

3 (2) The budget, implementation timeline with
4 milestones, and completion date for the proposed
5 project, including any other CERP funding that has
6 been or is anticipated to be contributed to the com-
7 pletion of the project.

8 (3) A plan for the sustainment of the proposed
9 project, including the agreement with either the host
10 nation, a non-Department of Defense agency of the
11 United States Government or a third-party contrib-
12 utor to finance the sustainment of the activities and
13 maintenance of any equipment or facilities to be pro-
14 vided through the proposed project.

15 SEC. 9006. Funds available to the Department of De-
16 fense for operation and maintenance may be used, not-
17 withstanding any other provision of law, to provide sup-
18 plies, services, transportation, including airlift and sealift,
19 and other logistical support to coalition forces supporting
20 military and stability operations in Afghanistan: *Provided*,
21 That the Secretary of Defense shall provide quarterly re-
22 ports to the congressional defense committees regarding
23 support provided under this section.

24 SEC. 9007. None of the funds appropriated or other-
25 wise made available by this or any other Act shall be obli-

1 gated or expended by the United States Government for
2 a purpose as follows:

3 (1) To establish any military installation or
4 base for the purpose of providing for the permanent
5 stationing of United States Armed Forces in Iraq.

6 (2) To exercise United States control over any
7 oil resource of Iraq.

8 (3) To establish any military installation or
9 base for the purpose of providing for the permanent
10 stationing of United States Armed Forces in Af-
11 ghanistan.

12 SEC. 9008. None of the funds made available in this
13 Act may be used in contravention of the following laws
14 enacted or regulations promulgated to implement the
15 United Nations Convention Against Torture and Other
16 Cruel, Inhuman or Degrading Treatment or Punishment
17 (done at New York on December 10, 1984):

18 (1) Section 2340A of title 18, United States
19 Code.

20 (2) Section 2242 of the Foreign Affairs Reform
21 and Restructuring Act of 1998 (division G of Public
22 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
23 note) and regulations prescribed thereto, including
24 regulations under part 208 of title 8, Code of Fed-

1 eral Regulations, and part 95 of title 22, Code of
2 Federal Regulations.

3 (3) Sections 1002 and 1003 of the Department
4 of Defense, Emergency Supplemental Appropriations
5 to Address Hurricanes in the Gulf of Mexico, and
6 Pandemic Influenza Act, 2006 (Public Law 109–
7 148).

8 SEC. 9009. None of the funds provided for the “Af-
9 ghanistan Security Forces Fund” (ASFF) may be obli-
10 gated prior to the approval of a financial and activity plan
11 by the Afghanistan Resources Oversight Council (AROC)
12 of the Department of Defense: *Provided*, That the AROC
13 must approve the requirement and acquisition plan for any
14 service requirements in excess of \$50,000,000 annually
15 and any non-standard equipment requirements in excess
16 of \$100,000,000 using ASFF: *Provided further*, That the
17 AROC must approve all projects and the execution plan
18 under the “Afghanistan Infrastructure Fund” (AIF) and
19 any project in excess of \$5,000,000 from the Commanders
20 Emergency Response Program (CERP): *Provided further*,
21 That the Department of Defense must certify to the con-
22 gressional defense committees that the AROC has con-
23 vened and approved a process for ensuring compliance
24 with the requirements in the preceding provisos and ac-

1 accompanying report language for the ASFF, AIF, and
2 CERP.

3 SEC. 9010. Funds made available in this title to the
4 Department of Defense for operation and maintenance
5 may be used to purchase items having an investment unit
6 cost of not more than \$250,000: *Provided*, That, upon de-
7 termination by the Secretary of Defense that such action
8 is necessary to meet the operational requirements of a
9 Commander of a Combatant Command engaged in contin-
10 gency operations overseas, such funds may be used to pur-
11 chase items having an investment item unit cost of not
12 more than \$500,000.

13 SEC. 9011. Notwithstanding any other provision of
14 law, up to \$63,800,000 of funds made available in this
15 title under the heading “Operation and Maintenance,
16 Army” may be obligated and expended for purposes of the
17 Task Force for Business and Stability Operations, subject
18 to the direction and control of the Secretary of Defense,
19 with concurrence of the Secretary of State, to carry out
20 strategic business and economic assistance activities in Af-
21 ghanistan in support of Operation Enduring Freedom:
22 *Provided*, That not less than 15 days before making funds
23 available pursuant to the authority provided in this section
24 for any project with a total anticipated cost of \$5,000,000
25 or more, the Secretary shall submit to the congressional

1 defense committees a written notice containing a detailed
2 justification and timeline for each proposed project.

3 SEC. 9012. From funds made available to the De-
4 partment of Defense in this title under the heading “Oper-
5 ation and Maintenance, Air Force” up to \$209,000,000
6 may be used by the Secretary of Defense, notwithstanding
7 any other provision of law, to support United States Gov-
8 ernment transition activities in Iraq by funding the oper-
9 ations and activities of the Office of Security Cooperation
10 in Iraq and security assistance teams, including life sup-
11 port, transportation and personal security, and facilities
12 renovation and construction, and site closeout activities
13 prior to returning sites to the Government of Iraq: *Pro-*
14 *vided*, That to the extent authorized under the National
15 Defense Authorization Act for Fiscal Year 2014, the oper-
16 ations and activities that may be carried out by the Office
17 of Security Cooperation in Iraq may, with the concurrence
18 of the Secretary of State, include non-operational training
19 activities in support of Iraqi Minister of Defense and
20 Counter Terrorism Service personnel in an institutional
21 environment to address capability gaps, integrate proc-
22 esses relating to intelligence, air sovereignty, combined
23 arms, logistics and maintenance, and to manage and inte-
24 grate defense-related institutions: *Provided further*, That
25 not later than 30 days following the enactment of this Act,

1 the Secretary of Defense and the Secretary of State shall
 2 submit to the congressional defense committees a plan for
 3 transitioning any such training activities that they deter-
 4 mine are needed after the end of fiscal year 2014, to exist-
 5 ing or new contracts for the sale of defense articles or
 6 defense services consistent with the provisions of the Arms
 7 Export Control Act (22 U.S.C. 2751 et seq.): *Provided*
 8 *further*, That not less than 15 days before making funds
 9 available pursuant to the authority provided in this sec-
 10 tion, the Secretary shall submit to the congressional de-
 11 fense committees a written notice containing a detailed
 12 justification and timeline for the operations and activities
 13 of the Office of Security Cooperation Iraq at each site
 14 where such operations and activities will be conducted dur-
 15 ing fiscal year 2014.

16 SEC. 9013. Of the funds appropriated in Department
 17 of Defense Appropriations Acts, the following funds are
 18 hereby rescinded from the following account and program
 19 in the specified amounts: *Provided*, That such amounts are
 20 designated by the Congress for Overseas Contingency Op-
 21 erations/Global War on Terrorism pursuant to section
 22 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
 23 Deficit Control Act of 1985:

24 “General Provision: Retroactive Stoploss, 2009/
 25 XXXX”, \$50,900,000.

- 1 This Act may be cited as the “Department of Defense
- 2 Appropriations Act, 2014”.

Calendar No. 163

113TH CONGRESS
1ST Session

S. 1429

[Report No. 113-85]

A BILL

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes.

AUGUST 1, 2013

Read twice and placed on the calendar